

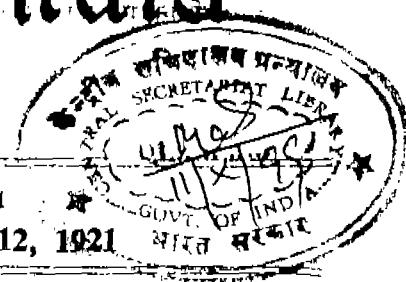


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# भारत का राजपत्र

## The Gazette of India

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY



सं. 27 ]

नई दिल्ली, शनिवार, जुलाई 3, 1999/आषाढ 12, 1921

No. 27] NEW DELHI, SATURDAY, JULY 3, 1999/ASADHA 12, 1921

इस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह असाम संकलन के रूप में  
रखा जा सके

Separate paging is given to this Part in order that it may be filed as a  
separate compilation

भाग II—संख्या 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (राज विभाग को छोड़कर) द्वारा जारी निए गए सांकेतिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications Issued by the Government of India  
(Other than the Ministry of Defence)

गृह मंत्रालय

(पुनर्वासि प्रभाग)

(विदेश संबंध विभाग)

शुद्धि पत्र

नई दिल्ली, 18 जून, 1999

यह कार्यों को विष्यादित करने के लिए प्रबंध अधिकारी के  
रूप में नियुक्त करते हैं।

[सं. 1(11)/विभाग एकक/88-एस. II/एस.  
(सी)]

फूल सिंह, निदेशक (भार.)

MINISTRY OF HOME AFFAIRS  
(Rehabilitation Division)  
(Settlement Section)  
CORRIGENDUM

New Delhi, the 18th June, 1999

का. आ. 1870.—इस मंत्रालय की तारीख 5-4-99  
की समसंबद्धक असियूचना के अधिकारी में केन्द्रीय सरकार  
राजस्थान राज्य में उप-मंडल अधिकारी, श्री गंगानगर तथा  
उप-मंडल अधिकारी, हनुमानगढ़ को अपने कार्यक्षेत्र में उप-  
मंडल अधिकारी के बतार अपने अवय के कर्तव्यों के  
अतिरिक्त मूलपूर्ण आवृत्ति एवं पुनर्वासि मंत्रालय (पुनर्वासि  
विभाग) नई दिल्ली, द्वारा राजस्थान सरकार को अंतिरिक्त  
किए गए अवधिकारी कार्यों के संबंध में उक्त अधिनियम के  
तहत अथवा उसके द्वारा किसी प्रबंध अधिकारी को संपै

[No. 1(11)/Spl. Cell/88-SS-II/S(C)]  
PHOOL SINGH, Director(R)

विदेश मंत्रालय  
(आधिक कार्य विभाग)  
(बैंकिंग प्रभाग)

मई दिनी, 21 जून, 1999

का.आ. 1871.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रबन्ध शक्तियों का प्रयोग करने द्वारा, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की संस्थान पर, एतदद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा 2 के उपबंध 15 मार्च, 2001 की समयावधि तक यूनाइटेड बैंक ऑफ इंडिया, कलकत्ता के मामले में, जहाँ तक इनका संबंध मैसर्स स्टर्लिंग फार्मसियूटिक्स प्रोडक्ट्स कंपनी (प्रा.) नि. के शेयरों की धारिता से है, गिरवीदार के रूप में कम्पनी की प्रदत्त शेयर पूँजी के 30 प्रतिशत में अधिक, पर लागू नहीं होगे।

[फा.सं. 15/10/96-बीओए  
बी.ए. नारायणन, अवर सचिव]

MINISTRY OF FINANCE  
(Department of Economic Affairs)  
(Banking Division)

New Delhi, the 21st June, 1999

S.O. 1871.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India hereby declares that the provisions of sub-section 2 of Section 19 of the said Act shall not apply to United Bank of India, Calcutta for a period upto 15th March, 2001 in so far as they relate to its holding of the shares of M/s. Sterling Pharmaceuticals Products Co. (P) Ltd. in excess of 30% of the paid-up share capital of the company as pledgee.

[F. No. 15/10/96-BOA]  
B. A. NARAYANAN, Under Secy.

विदेश मंत्रालय  
(कोमूलर अनुभाग)  
मई दिनी, 11 जून, 1999

का.आ. 1872.—राजनयिक “कोमूली अधिकारी (ग्राम पञ्च शक्ति) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतदद्वारा भारत का दूतावास बाक में श्री पी. मुख्य मायर को 11-06-1999 से महायक कोमूली अधिकारी का कार्य करने के लिए प्राप्ति करता है।

[मं.टी-4330/1/98]  
अनील विगुनायन, उप सचिव (कोमूली)

MINISTRY OF EXTERNAL AFFAIRS  
(Consular Section)

New Delhi, the 11th June, 1999

S.O. 1872.—In pursuance of the Clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees)

Act, 1948 (41 of 1948), the Central Government hereby authorises Shri P. Subbash Narl, Assistant, in the Embassy of India Baku, Azerbaijan to perform the duties of Assistant Consular Officer with effect from 11-6-1999.

[No. T-4330/1/98]  
ANIL THRIGUNAYAT, Dy. Secy. (Cons.)

वाणिज्य मंत्रालय

मई दिनी, 18 जून, 1999

का.आ. 1873.—केन्द्रीय सरकार, नियति (वाणिजी नियंत्रण और नियोजन) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रबन्ध शक्तियों का प्रयोग करने द्वारा, मैसर्स इंडस्ट्रीयल रिसर्च एंड टेस्टिंग लेबोरेट्रीज गडग कोशाप्रेटिव इंडस्ट्रीयल इस्टेट की एक इकाई, द्वारा गडग, गडग, जिला धारवाड कर्नाटक-582101 को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए खतिज तथा अयम्क (यूप-1) प्रयत्न लौह अयम्क तथा मैग्नीज अयम्क मैग्नीज डायक्रोइड को छोड़कर जो कि भारत सरकार के बाणिज्य मंत्रालय की अधिसूचना मंद्या का.आ. 3975 तारीख 20 दिसंबर 1965 की मंसम अनुसूची में विविहिषित हैं के नियति से पृष्ठ नियोजन के लिए एक अतिकरण के रूप में निम्ननियित शर्तों के अधीन रहते हुए मान्यता प्रदान करती है, अधीत—

(i) मैसर्स इंडस्ट्रीयल रिसर्च एंड टेस्टिंग लेबोरेट्रीज, गडग नियति नियोजन परियद द्वारा इस वात नाम नियिष्ट अधिकारियों को आपने द्वारा अपनाई गयी नियोजन प्रदत्त वो जात करने के लिए पर्याप्त सुविधाएं देगी जिसमें नियति के खतिज तथा अयम्क यूप-1 (नियोजन) नियम, 1965 के नियम 4 के अधीन नियोजन का प्रमाणपत्र दिया जा सके।

(ii) मैसर्स इंडस्ट्रीयल रिसर्च एंड टेस्टिंग लेबोरेट्रीज गडग इस अधिसूचना के अधीन अपने कुत्यों के के पालन में ऐसे नियंत्रण द्वारा आवश्योगी जो नियोजक (नियोजन प्रबन्ध व्यालिटी नियंत्रण) समय-समय पर लियित रूप में देंगे।

[फाईल मं. 5/4/99 ईआई एंड ईपी]  
ई.के. भारत भूषण, नियोजक

MINISTRY OF COMMERCE

New Delhi, the 18th June, 1999

S.O. 1873.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years, from the date of publication of this notification in the Official Gazette, M/s. Industrial Research and Testing Laboratories (A unit of the Gadag Co-operative Industrial Estate Ltd.) Hubli Road, Gadag, Distt. Dharwad, Karnataka-582101, as an agency for inspection of Minerals and Ores Group-I, namely Iron Ore and Manganese Ore excluding Manganese Dioxide specified in the Schedule annexed to Government of India, Ministry of Commerce notification number S.O. 3975 dated the 20th

December, 1965, prior to export subject to the following conditions, namely :—

- (i) that M/s. Industrial Research and Testing Laboratories Gadag shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group-I (Inspection) Rules, 1965;
- (ii) that M/s. Industrial Research and Testing Laboratories Gadag in the performance of their function under this notification, shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[F. No. 5/4/99-EI&EP]  
E. K. BHARAT BHUSHAN, Director

### कोयला मंत्रालय

#### ग्रन्तिपत्र

नई दिल्ली, 10 जून, 1999

का. आ. 1874.—भारत के राजपत्र भाग-II, खण्ड-3, उपखण्ड (ii) में तारीख 22 मई, 1999 के पृष्ठ अमांक 3148 से 3149 पर प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना का. आ. 1398 तारीख 6 मई, 1999 में,

पृष्ठ अमांक 3149 पर

'31 अगस्त 1999' के स्थान पर '31 अगस्त, 1992' पढ़ियें।

[फा. सं. 43015/2/88-एल एम इच्चल्यू/पी आर आर्ड इच्चल्यू]  
प्रेमानंद दाम, निदेशक

#### आदेश

नई दिल्ली, 16 जून, 1999

का. आ. 1875.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) जिसे इसके पश्चात् उक्त अधिनियम कहा गया है, की धारा 9 की उपधारा (i) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संस्थांक का. आ. 1448 तारीख, 7 जूलाई, 1998 के भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii), तारीख 25 जूलाई, 1998 में प्रकाशित होने पर उक्त अधिसूचना से संबंध अनुसूची में वर्णित भूमि में या उम पर के अधिकार (जिसे इसके पश्चात् उक्त भूमि कहा गया है), उक्त अधिनियम की धारा 10 की उपधारा (i) के अधीन सभी विलंगमों से मुक्त होकर, आत्मानिक रूप से केन्द्रीय सरकार में निहित हो गए थे।

और, केन्द्रीय सरकार का यह समाधान हो गया है कि ईस्टर्न कोलकाताइल मानकटोरिया, पोर्ट आर्फिस दिशारंगक, जिला वर्धवान (पश्चिम बंगाल) सरकारी कंपनी

(जिसे इसमें इसके पश्चात् उक्त कम्पनी कहा गया है), ऐसे निबंधनों और शर्तों का, जो केन्द्रीय सरकार इस निमित्त अधिगोपित करना उचित भमसे, अनुपालन करने के लिए रजामंद है।

ग्रन्त: अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि इस प्रकार निहित उक्त भूमि या उक्त भूमि में या उस पर के अधिकार तारीख 25 जूलाई, 1998 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त सरकारी कंपनी में निहित हो जाएंगे, अथवा :—

- (1) उक्त कंपनी, उक्त अधिनियम के उपबंधों के अधीन या अवधारण प्रतिकर, ब्याज, नुकसानी और वैसी ही मदों की बाबत किए गए, सभी संदर्भों की केन्द्रीय सरकार को प्रतिपूर्ति करेंगी;
- (2) उक्त कम्पनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेश रकमों का अवधारण करते के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियमित व्यक्तियों के संबंध में उपगत सभी व्यय उक्त कंपनी वहन करेंगी और इस प्रकार निहित भूमि में या उम पर के उक्त अधिकारों के लिए या उनके संबंध में सभी विधिक कार्यवाहियों, जिसे अपील आदि की बाबत उपगत सभी व्यय भी, उक्त कंपनी वहन करेंगी;
- (3) उक्त कंपनी, केन्द्रीय सरकार या उमके पदधारियों की ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित भूमि में या उम पर के उक्त अधिकारों के बारे में, केन्द्रीय सरकार या उमके पदधारियों द्वारा या उनके विलंग किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, क्षतिपूर्ति करेंगी,
- (4) उक्त कंपनी को, केन्द्रीय सरकार के पूर्ण अनुमोदन के बिना भूमि को किसी अन्य व्यक्ति को अनुरित करने की शक्ति नहीं होगी, और
- (5) उक्त कंपनी ऐसे निदेशों और शर्तों का जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त अधिकारों में या भूमि पर के विशिष्ट क्षेत्रों के लिए दिए जाएं या अधिगोपित की जाएं, पालन करेंगी।

[फा. सं. 43015/9/94-एल एम इच्चल्यू/पी आर आर्ड इच्चल्यू  
प्रेमानंद दाम, निदेशक]

**MINISTRY OF COAL  
ORDER**

New Delhi, the 16th June, 1999

S.O. 1875.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal number S.O. 1448, dated the 7th July, 1998 in Part II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 25th July, 1998, issued under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the land and the rights in or over the land described in the Schedule I and Schedule II appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of section 10 of the said Act;

And whereas the Central Government is satisfied that the Eastern Coalfields Limited, Sanctoria P.O. Dishergarh, District Burdwan (West Bengal) a Government Complex (hereinafter referred to as the said Company), is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 11 of the said Act, the Central Government hereby directs that the said land and the rights in or over the land, so vested, shall, with effect from the 25th July, 1998, instead of continuing to so vest in the Central Government, vest in the said Company, subject to the following terms and conditions, namely :—

- (1) the said Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like, as determined under the provisions of the said Act.
- (2) a tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the said Company under condition (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc. for or in connection with the rights in or over the said land, so vesting, shall also be borne by the said Company.
- (3) the said Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the land so vesting.
- (4) the said Company shall have no power to transfer the said land to any other person without the previous approval of the Central Government; and
- (5) the said Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said land as and when necessary.

[No. 43015/9/9-LSW/PRIW]  
PREMANAND DAS, Director  
आदेश

नई दिल्ली, 16 जून, 1999

का.प्रा. 1876.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है, की धारा 9 की उपधारा (i) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संघर्षक का.प्रा. 2372 तारीख, 5 नवम्बर, 1998 के भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 25 नवम्बर, 1998 में प्रकाशित होने पर उक्त अधिसूचना से संलग्न अनुसूची क

और अनुसूची खंड में विभिन्न भूमि में या उस पर के अधिकार (जिसे इसमें इसके पश्चात् उक्त अधिकार कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (i) के अधीन, सभी विलंगमों से मुक्त होकर, आन्यातिक स्थृति से केंद्रीय सरकार में निहित हो गए थे।

और केंद्रीय सरकार का यह समाधान हो गया है कि वेस्टने कोलफील्ड्स लि. नागपुर (महाराष्ट्र) (सरकारी कंपनी) जिसे इसमें इसके पश्चात् उक्त कंपनी बताया गया है। ऐसे निबंधनों और शर्तों का, जो केंद्रीय सरकार इस निमित्त अधिरोपित करता उचित समझे, अनुपालन करने के लिए रजामंद है;

अतः अब केंद्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (i) द्वारा प्रदत्त गवितयों का प्रयोग करने हुए, यह निर्देश देती है कि इस प्रकार निहित उक्त अधिकार में या भूमि पर तारीख 21 नवम्बर, 1998 से केंद्रीय सरकार में इस प्रकार निहित बने रहने की बजाय निम्नलिखित निबंधनों और शर्तों के अधीन रहने हुए, उक्त सरकारी कंपनी में निहित हो जाएंगे, अर्थात् :—

- (1) उक्त कंपनी, उक्त अधिनियम के उपबद्धों के अधीन यथा अवधारित प्रतिकरण, द्याज, नुकसानी और वैसी ही मदों की बाबत किए गए सभी संशयों की केंद्रीय सरकार की प्रतिपूति करेगी;
  - (2) उक्त कंपनी द्वारा शर्त (i) के अधीन केंद्रीय सरकार को सदैय रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की महापता के लिए नियुक्त अधिकारियों के संबंध में उपगत सभी व्यय, उक्त कंपनी बहन करेगी और इस प्रकार निहित भूमि में या उपगर के उदाहरणीय के लिए या उनके संबंध में सभी विधिक कार्यवाहियों, जिसे अपील आदि की बाबत उपगत सभी व्यय भी, उक्त कंपनी बहन करेगी,
  - (3) उक्त कंपनी, केंद्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, इस प्रकार निहित भूमि में या उस पर के उक्त अधिकारों के बारे में, केंद्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, अतिपूति करेगी;
  - (4) उक्त कंपनी को, केंद्रीय सरकार के पूर्व अनुमोदन के बिना भूमि को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी, और
  - (5) उक्त कंपनी, ऐसे निवेशों और शर्तों का जो केंद्रीय सरकार द्वारा जब कभी आवश्यक हो, उक्त अधिकारों में या भूमि पर के विशिष्ट क्षेत्रों के लिए दिए जाएं या अधिशेषित नीं जाएं, पालन करेगी।
- [का.प्रा. 43015/24/9 नं.पा. इस दस्तवेज़/पी.आर.ग्राइडलैम]
- प्रेसानंद दास, निदेशक

## ORDER

New Delhi, the 16th June, 1999

S.O. 1976.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal number S.O. 2372, dated the 5th November, 1998, in Part II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 21st November, 1998, issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the rights in or over the land described in Schedule A and Schedule B appended to the said notification (hereinafter referred to as the said rights) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of section 10 of the said Act;

And whereas the Central Government is satisfied that the Western Coalfields Limited, Nagpur (Maharashtra) a Government Company (hereinafter referred to as the said Company) is willing to comply with such terms and conditions as the Central Government finds fit to impose in this behalf;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 11 of the said Act, the Central Government hereby directs that the said rights in or over the land so vested, shall, with effect from the 21st November, 1998, instead of continuing to so vest in the Central Government, vest in the said Government Company, subject to the following terms and conditions, namely:—

- (1) the said Company shall reimburse the Central Government all payments made in respect of compensation, interest, damages and the like, as determined under the provisions of the said Act;
- (2) a tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the said Company under condition (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc. for or in connection with the said rights in or over the said land, so vesting, shall also be borne by the said Company;
- (3) the said Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the said rights in or over the land so vesting;
- (4) the said Company shall have no power to transfer the lands and said rights in or over the land so vested to any person without the previous approval of the Central Government; and
- (5) the said Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said land and rights in or over the land as and when necessary.

[No. 43015/24/95-LSW/PRIW]  
PREMANAND DAS, Director

## आदेश

नई दिल्ली, 16 जून, 1999

का.आ. 1877.—कोयला धारक थेव (अर्जन आर विकास) अधिनियम, 1957 (1957 का 20) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है, कि धारा 9 की उपधारा (i) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संस्थान का.आ. 3194 नामिक, 12 दिसंबर, 1997 के, भारत के गजपत्र भाग 2, खंड 3, उपवट (ii), नामिक 27 दिसंबर, 1997 में प्रकाशित होने पर, उक्त अधिसूचना रो-

संस्थान अनुसूची में बण्ठन मूलि (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है), में खानिज खनियों के बनन, खदान बोर करने, उनकी खदाई और तनाश करके उन पर कार्य करने और उन्हें ले जाने के अधिकार उक्त अधिनियम की धारा 10 की उपधारा (i) के अधीन, सभी विलगमों से मुक्त होकर, आयातिक रूप में है), केन्द्रीय सरकार से निहित हो गए थे;

ओर, केन्द्रीय सरकार का यह समाधान हो गया है कि बेस्टर्न कोलफील्ड्स लि. नागपुर (महाराष्ट्र) सरकारी कंपनी (जिसे इसके पश्चात् उक्त कंपनी कहा गया है) एसे निबंधनों और घर्ती का, जो केन्द्रीय सरकार इस नियमित अधिरोपित करना उचित समझे, अनुपानन करने के लिए रजामंद है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (i) हारा प्रदत्त शक्तियों का प्रयोग करत हुए, यह निर्देश देती है कि इस प्रकार निहित उक्त भूमि में या उस पर के अधिकार तारीख 27 दिसंबर, 1997 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय, नियन्त्रित निबंधनों और घर्ती के अधीन रहने हुए, उक्त सरकारी कंपनी में निहित हो जाएंगे, अर्थात्:—

- (1) उक्त कंपनी, उक्त अधिनियम के उपवंथों के अधीन यथा अवधारित प्रतिकर, व्याज, नुकसानी और चैसी ही मदों की बाबत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी;
- (2) उक्त कंपनी हारा घर्ती (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, उक्त कंपनी वहन करेगी और इस प्रकार निहित भूमि में या उस पर के उक्त अधिकारों के लिए या उनके संबंध में सभी विधिक कार्यवाहियों, जिसे अपील आदि की बाबत उपगत सभी व्यय भी, उक्त कंपनी वहन करेगी,
- (3) उक्त कंपनी, केन्द्रीय सरकार या उसके पद्धारियों की, ऐसे किसी अन्य व्यय के संबंध में जो इस प्रकार निहित भूमि में या उस पर के उक्त अधिकारों के बारे में, केन्द्रीय सरकार या उसके पद्धारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवधारक हो, क्षतिपूर्ति करेगी,
- (4) उक्त कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना भूमि को किसी भाव्य व्यक्ति को अतिरिक्त करने की शक्ति नहीं है गी, और

(5) उक्त कंपनी, ऐसे नियंत्रणों और शर्तों का जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो उक्त अधिकारों में या भूमि पर के विशिष्ट क्षेत्रों के लिए दिए जाएं या अधिरोपित की जाएं, पालन करेगी।

[फा. सं. 43015/5/96-एल प्र० डब्ल्यू./पी.आर.आई.डब्ल्यू.]

प्रेमानंद दास, निदेशक

### ORDER

New Delhi, the 16th June, 1999

S.O. 1877.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal No. S.O. 3194, dated the 12th December, 1997, published in Part II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 27th December, 1997, issued under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in or over the land described in the Schedule appended to the said notification (hereinafter referred to as the said rights) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of section 10 of the said Act:

And whereas the Central Government is satisfied that the Western Coalfields Limited, Nagpur, a Government Company (hereinafter referred to as the said Company), is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 11 of the said Act, the Central Government hereby directs that the said rights so vested shall, with effect from the 27th December, 1997, instead of continuing to so vest in the Central Government, vest in the said Company, subject to the following terms and conditions, namely:—

- (1) the said Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like, as determined under the provisions of the said Act.
- (2) a tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the said Company under condition (1) and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc. for or in connection with the said rights, so vesting shall also be borne by the Government Company.
- (3) the said Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the said rights so vesting.
- (4) the said Company shall have no power to transfer the said rights so vested to any other person without the previous approval of the Central Government; and
- (5) the said Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said rights as and when necessary.

[No. 43015/5/96-LSW-PRIW]  
PREMANAND DAS, Director

शुद्धि पत्र

नई दिल्ली, 17 जून, 1999

का.आ. 1878.—भारत का राजपत्र भाग-II, खंड-3, उपखंड (ii) में तारीख 27 सितम्बर, 1997 के पृष्ठ क्रमांक 4633 से 4638 पर प्रकाशित भारत सरकार के कोयना मंत्रालय की अधिसूचना का.आ. 2415, तारीख 19 सितम्बर, 1997 में:—

पृष्ठ संख्यांक 4633 पर—

1. अधिसूचना में-टिप्पणी-3 में “खण्ड 1” के स्थान पर “खण्ड-3” पढ़िए।

पृष्ठ संख्यांक 4634 पर—

1. ग्रन्तसूची-क में-“पंच क्षेत्र” के स्थान पर “पंच क्षेत्र” पढ़िए।

और जहाँ कही भी यह शब्द प्रयुक्त हुआ हो उस स्थान पर “पंच क्षेत्र” पढ़िए।

2. ग्रन्तसूची में तहसील स्तम्भ के नीचे - “परासिया” के स्थान पर “परासिया” पढ़िए।

और जहाँ कही यह शब्द प्रयुक्त हुआ हो वहाँ “परासिया” पढ़िए।

पृष्ठ संख्यांक 4635 पर—

1. ग्राम मंडली में अजित किए जाने वाले प्लाट संख्यांक में—

“373/2, 373/4” के स्थान पर “373/2, 373/3, 373/4” पढ़िए, और

“410/3, 410” के स्थान पर “410/3, 410/4” पढ़िए और “415/1” के स्थान पर “415” पढ़िए।

2. सीमा बर्णन में रेखा च-ग में-“फिर प्लॉट सं.- 255/1, 266/13, 268, 347, 348, 327 में प्लॉट सं. 266/16, 266/15, 266/14” के स्थान पर “फिर प्लॉट सं. 266/16, 266/15, 266/14 की वाहनी सीमा के साथ-साथ तथा प्लॉट सं. 266/12, 266/13, 268, 347, 348, 327 में”, पढ़िए।

3. रेखा च-इ, में प्लॉट सं.“391 (सङ्क), 391” के स्थान पर 381 (सङ्क), 391, 381, (सङ्क)” पढ़िए।

[फा. सं. 43015/14/94-एल.प्र०.डब्ल्यू./पी.आर.आई.डब्ल्यू.]  
टी.के.घोष, निदेशक

### CORRIGENDA

New Delhi, the 17th June, 1999

S.O. 1978.—In the notification of the Government of India in the Ministry of Coal number S.O. 2415, dated the 19th September, 1997 and published at pages 4635 to 4638 in

Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 27th September, 1997.—

(1) at page 4635--

in the last line, for "described", read "described";

(2) at page 4636--

(a) in line 2, for "acquire", read "acquire";

(b) in line 9, for "Chhindwara", read "Chhindwara";

(c) in line 11, for "(Revenue Department)", read "(Revenue Department)";

(d) in line 12, for "(Maharashtra)", read "(Maharashtra)";

(e) in line 28, for "oves" read "over";

(3) at page 4638--

in line 4, for "village", read "village".

[No. 43015/14/94-LSW/PRIW]

T. K. GHOSH, Director

### परमाणु ऊर्जा विभाग

मुंबई, 24 जून, 1999

का.आ. 1879.—केंद्रीय सरकार, सरकारी स्थान (अधिकृत अधिभोगियों की बेदखली) अधिनियम; 1971 (1971 का 40) की धारा 3 द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, भारत सरकार परमाणु ऊर्जा विभाग, के दि. 26 मार्च, 1996 के का.आ. सं. 1146 की अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्

उक्त अधिसूचना की सारणी के संभं 1 में "अपर प्रबंधक (प्रसामन)" शब्दों और कोट्टकों के स्थान पर निम्नलिखित शब्दों और कोट्टकों को रखा जाए, अर्थात्:—

"प्रबंधक (प्रशासन)"

[सं. 4/10(21)/88-पीएसयू/652]

उमा महारेवन, विशेष कार्याधिकारी (अ.स.-उ प्रबंध)

टिप्पणी:— दि. 26 मार्च, 1996 की अधिसूचना सं. का.आ. 1146 के अनुसार मूल अधिसूचना भारत के राजपत्र में प्रकाशित हुई थी।

(Department of Atomic Energy)

Mumbai, the 24th June, 1999

S.O. 1879.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment in the notification of the Government of India in the Department of Atomic Energy, number S.O. 1146, Dated the 26th March, 1996, namely :

In the Table to the said notification, in column 1, for the words and brackets "Additional Manager

(Administration)", the following words and brackets shall be substituted, namely:—

"Manager (Administration)"

[No. 4/10(21)/88-PSU/652]

UMA MAHADEVAN, Officer on Special Duty (US-I & M)

Note: The principal notification was published in the Gazette of India, vide notification number S.O. 1146, dated March 26, 1996.

स्वास्थ्य पर्यावरण कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 15 जून, 1999

का.आ. 1880.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 7 की उपधारा (4) के साथ पट्टन धारा 3 की उपधारा (1) के खंड (ख) के अनुसरण में डा. एस. वेम्बर, डीन, काय चिकित्सा मंकाय, अन्नमलाई विश्वविद्यालय, अन्नमलाई नगर यो अन्नमलाई विश्वविद्यालय वी. मध्ये न 27-3-99 को 27-3-99 मे 23-10-2002 तक भारतीय आयुर्विज्ञान परिषद के पाक सदस्य के रूप में नृत्य गया है।

अतः अब उक्त अधिनियम की धारा 3 की उपधारा (1) के अनुसरण में केन्द्र सरकार भारत सरकार के पूर्व-वर्ती स्वास्थ्य मंत्रालय की अधिसूचना संस्था सा.का. 138 दिनांक 9 जनवरी, 1960 में निम्नलिखित और भौगोलिक करनी है नामतः

उक्त अधिसूचना में धारा 3 की उपधारा (1) के खंड (ख) के अधीन निवाचित शीर्षक के अर्त्तेगत कम मध्या 70 और उसमें संबंधित प्रविष्टियों के स्थान पर निम्नलिखित कम मध्या और प्रविष्टियां रखी जाएंगी:

"70. डा. एस. वेम्बर,

डीन, चिकित्सा मंकाय, अन्नमलाई विश्वविद्यालय"

अन्नमलाई विश्वविद्यालय,

अन्नमलाई नगर

तामन्नाड़।

[मंस्त्रा वी. 11013/12/99-एम ह (य. जी.)]

एम.के. भैमा, डैस्ट्रिक्ट अधिकारी

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 15th June, 1999

S.O. 1880.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of Section 3, read with sub-section (4) of Section 7 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. S. Vembal, Dean, Faculty of Medicine,

Annamalai University, Annamalainagar has been elected by the Senate of the Annamalai University on 27-3-99 to be a member of the Medical Council of India from 27-3-1999 upto 23-10-2002 ;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of Government of India in the then Ministry of Health number S.O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading 'Elected under Clause (b) of sub-section (1) of Section 3', for serial number 70 and the entry relating thereto, the following serial number and entry shall be substituted, namely :—

'70. Dr. S. Vembar,  
Dean,  
Faculty of Medicine,  
Annamalai University,  
Annamalainagar,  
Tamil Nadu.

Annamalai University'

[No. V-11013/12/99-ME (UG)]  
S. K. MISHRA, Desk Officer

श्रद्धेश

नई दिल्ली, 15 जून, 1999

का.आ. 1881.—दाका विश्वविद्यालय, बांगलाटेण  
द्वारा प्रदत्त चिकित्सा अर्हता एम.टी.सी.एम. भारतीय  
चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) के  
प्रयोजन के लिए उक्त अधिनियम की धारा 14 के अन्त-  
गत एक मान्यताप्राप्त चिकित्सा अर्हता है।

और डा. सुदीप साहा जिनके पास उक्त अर्हता है,  
बेहाला वालनन्दा ब्रह्मचारी अस्पताल और अनुसंधान केन्द्र,  
कलकत्ता से पूर्व कार्य के उद्देश्य हेतु संलग्न हैं न  
कि व्यक्तिगत लाभ के लिए।

अतः अब केन्द्रीय भरकार उक्त अधिनियम की धारा  
14 की उपधारा (1) के खंड (ग) के अनुसरण  
में :

- (क) 8 मितम्बर, 1999 की अवधि तक, अथवा
- (ख) उस अवधि को जिसके दौरान डा. सुदीप साहा  
बेहाला वालनन्दा ब्रह्मचारी अस्पताल और अनु-  
संधान केन्द्र, कलकत्ता के संलग्न हैं, जो भी  
वधुतर हो एम्सी शरधि के स्थान में विनिर्दिष्ट  
करती है, जिसके लिए डा. सुदीप साहा की  
चिकित्सा प्रेक्षित बेहाला वालनन्दा ब्रह्मचारी  
अस्पताल और अनुसंधान केन्द्र, कलकत्ता तक  
सीमित होगी ।

[मंड्या वी. 11016/5/99 एम.है. (य.जी.)]  
एम. के. मिथ, इस्क अधिकारी

#### ORDER

New Delhi, the 15th June, 1999

S.O. 1881.—Whereas medical qualification M.B.B.S. granted  
by Dhaka University, Bangladesh is a recognised medical  
qualification for the purpose of the Indian Medical Council  
Act, 1956 (102 of 1956) under Section 14 of the said Act ;

And whereas Dr. Sudipta Saha who possess the said qualifi-  
cation is attached to Behala Balananda Brahmachari Hos-  
pital and Research Centre, Calcutta for purposes of Charitable  
work and not for personal gain ;

Now, therefore, in pursuance of clause (c) of sub-section  
(1) of the Section 14 of the said Act, the Central Government  
hereby specifies :—

(a) a period upto 8th September, 1999, or

(b) the period during which Dr. Sudipta Saha is attached  
to the said Behala Balananda Brahmachari Hospital  
and Research Centre, Calcutta, whichever is shorter,  
as the period to which medical practice by Dr.  
Sudipta Saha in the said Behala Balananda Brahma-  
chari Hospital and Research Centre, Calcutta shall  
be limited.

[No. V-11016/5/99-ME (UG)]  
S. K. MISHRA, Desk Officer

नई दिल्ली, 17 जून, 1999

का.आ. 1882.—भारतीय आयुर्विज्ञान परिषद्  
अधिनियम 1956 (1956 का 102) की धारा 3 की  
उपधारा (1) के अनुसरण में डा. के. एम. चुघ, प्रोफेसर वृक्ष  
विज्ञान विभाग, म्नातकोत्तर चिकित्सा शिक्षा एवं अनुसंधान  
संस्थान, चंडीगढ़ को पंजाब भरकार द्वारा इस अधिसूचना  
के जारी होने की शिक्षा में भारतीय आयुर्विज्ञान परिषद्  
के एक सदस्य के स्थान में नामनिर्दिष्ट किया गया है।

अतः यह उक्त अधिनियम की धारा 3 की उपधारा  
(1) के अनुसरण में बैन्ड सरकार भरत भरकार के  
पूर्ववर्ती स्वास्थ्य मंत्रालय की अधिसूचना संदर्भ सा.का.  
138, दिनांक 9 जनवरी, 1960 में निम्नलिखित और  
संशोधन करनी है नामतः

उक्त अधिसूचना में धारा 3 की उपधारा (1) के  
खंड (क) के अधीन नामनिर्दिष्ट शिक्षक के अन्तर्गत क्रम  
संख्या 11 और उसमें संविधित प्रविष्टियों के स्थान पर  
निम्नलिखित क्रम संख्या और प्रविष्टियां रखी जाएंगी नामतः

डा. के. एम. चुघ,  
प्रोफेसर, वृक्ष विज्ञान विभाग,  
म्नातकोत्तर चिकित्सा शिक्षा एवं  
अनुसंधान संस्थान, चंडीगढ़ ।

[मंड्या वी. 11013/11/98-एम. है. (य.जी.)]  
एम. के. मिथ, इस्क अधिकारी

New Delhi, the 17th June, 1999

S.O. 1882.—Whereas the Central Government in pursuance  
of clause (a) of sub-section (1) of Section 3 of the Indian  
Medical Council Act, 1956 (102 of 1956) and in consultation  
with the Government of Punjab have nominated Dr. K. S.  
Chugh, Professor, Department of Nephrology, PGIMER,  
Chandigarh to be a member of the Medical Council of India  
with effect from the date of issue of this notification :

Now, therefore, in pursuance of the provision of sub-section  
(1) of Section 3 of the said Act, the Central Government  
hereby makes the following further amendment in the  
notification of the Government of India in the Ministry of Health  
number S.O. 138, dated the 9th January, 1950, namely :

In the said notification, under the heading 'nominated under  
clause (a) of sub-section (1) of Section 3, for serial number 11

and the entries relating thereto the following serial number and entries shall be substituted, namely :—

"11. Dr. K. S. Chugh,  
Professor of Department of Nephrology,  
PGIMER,  
Chandigarh."

[No. V-11013/11/98-ME (UG)]  
S. K. MISHRA, Desk Officer

नई दिल्ली, 18 जून, 1999

का. आ. 1883.—दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्र सरकार भारतीय दन्त चिकित्सा परिषद् में परामर्श करते के पश्चात् उक्त अधिनियम की अनुसूची के भाग-I में एन्डवारा निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची के भाग-I में कुरुक्षेत्र विश्वविद्यालय, कुरुक्षेत्र और उससे संबंधित प्रविष्टियों की कम संख्या 39 में निम्नलिखित प्रविष्टियाँ जोड़ी जाएंगी, अर्थात् :—

1	2	3
39. कुरुक्षेत्र (1) दन्त शल्यक्रिया में बी. डी. एम. विश्वविद्यालय स्नातक।		(कुरुक्षेत्र)

कुरुक्षेत्र	यह अहंताद्वी. आर. एम. दन्त चिकित्सा कालेज और अस्पताल पंचकूला के बी. डी. एस. छात्रों को 23/24-5-97 (23/24 मई, 1997) की अथवा इसके पश्चात् प्रदान किए जाने पर एक मान्यता प्राप्त दन्त चिकित्सा अर्हता होगी।
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[मंज्या बी. 12017/48/93-पी. एम. एस.]  
मी. एल. भाटिया, अवर मंत्री

New Delhi, the 18th June, 1999

S.O.1883.—In exercise of the powers conferred by Sub-Section(2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consulting the Dental Council of India, hereby makes the following further amendment in Part-I of the Schedule to the said Act, namely:—

In Part-I of the said Schedule, at serial number 39 of Kurukshetra University, Kurukshetra and the

entries relating thereto, the following entries shall be added, namely:—

1	2	3
39. Kurukshetra University Kurukshetra.	(i) Bachelor of Dental Surgery. This Qualification shall be a recognised dental qualification in respect of BDS students of B.R.S. Dental College & Hospital, Panchkula when granted on or after 23/24-5-97. (23rd/24th May, 1997).	B.D.S. (Kurukshetra)

[No. V.12017/48/93-PMS]  
C. L. BHATIA, Under Secy

कृषि मंत्रालय

(कृषि अनुसंधान तथा शिक्षा विभाग)

नई दिल्ली, 24 जून, 1999

का. आ. 1884.—केन्द्रीय सरकार, कृषि मंत्रालय, कृषि अनुसंधान तथा शिक्षा विभाग, राजभाषा (यह के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उपनियम (4) के अनुसारण में एन्डवारा केन्द्रीय रोपन फसल अनुसंधान संस्थान (भा. कृ. आ. प.) कासरगोड, केरल, जिसके 80 प्रभिष्ठत में अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[संख्या 13-5/95-हिंदी]

आर. पी. सरोज, अवर मंत्री

MINISTRY OF AGRICULTURE

(Department of Agriculture Research and Education)

New Delhi, the 24th June, 1999

S.O. 1884.—In pursuance of Sub-Rule 4 of Rule 10 of the Official Language (Use of Official purpose of the Union) Rules 1976, the Central Government, Ministry of Agriculture, Department of Agricultural Research and Education hereby notifies the Central Plantation Crops Research Institute (ICAR), Kasaragod, Kerala where more than 80 per cent of Staff have acquired the working knowledge of Hindi.

[No. 13-5/95-HINDI]  
R. P. SAROJ, Under Secy.

मुख्या शौर प्रसारण मंत्रालय

नई दिल्ली, 14 जून, 1999

का.आ. 1884.—केन्द्रीय सरकार, चलचित्रकी (प्रमाणन) नियम, 1983 के नियम 7 एवं 8 के साथ

प्राचीन चलचित्रिकी अधिनियम, 1952 (1952 का 37) की भारा 5 की उपधारा (1) में प्रदत्त शक्तियों का उपयोग करते हुए तथा इस विषय पर मंत्रालय की पूर्व अधिसूचना का अधिक्रमण करते हुए, केन्द्रीय फिल्म प्रमाणन बोर्ड के हैंदरायाव सलाहकार बैनल का पुनर्गठन करता है तथा निम्नलिखित व्यक्तियों को तन्काल प्रभाव में दो वर्ष की अवधि अधिवाय अगले आदेशों, जो भी पहले हो, तक के लिए इस बोर्ड के भवस्य के रूप में नियुक्त करनी है :—

1. श्री अकिनेनी वेंकट नारायण
2. मुश्ति अपराजिता रौष्ण सिन्हा
3. श्रीमति आशा रानी
4. श्री बांबिल्सापटी गोपालकृष्णा
5. श्री गिरी बाबू
6. गुरुप्पा चौधरी एम.एल.डा.
7. श्री जगपति रमेया वी.
8. श्रीमति जयश्री
9. कनकम्बरा राजू सी.डा.
10. श्री कृष्णास्वामी एस.
11. श्रीमति लक्ष्मी मेनन
12. श्री मुरली कृष्णा के.
13. श्री नरसिंहनाथ चौधरी
14. श्री नरेण
15. श्री पंडवमा येदुकोन्डलू
16. श्री प्रभाद बाबू
17. श्रीमती राधा बाला सुब्रस्यम
18. श्री मंतीश चन्द्र ए.वी.
19. श्री श्री प्रसाद टी. (चिन्ती बाबू)
20. श्री सईद अतीक
21. श्रीमती टी.विजयलक्ष्मी
22. श्री त्याग राजू टी. एस.
23. श्री वकिटी मधुसूखन
24. श्री बन्ले नारायण रेड्डी
25. श्रीमती जे. मूर्खकात्तम
26. श्रीमती लेलिता पद्मपति
27. श्री ए.एन. व्यास
28. श्रीमति अत्तालूरी मणि
29. मुश्ति श्रीमणि
30. श्रीमती येदलापति पदमजा
31. श्रीमती एम. सरला रानी
32. श्रीमती चिन्ना नागराज
33. श्री मी जे रेड्डी
34. श्रीमती एम. के. आर. आशालता
35. श्रीमती एम. पी. मुणीला कनक राजू

36. डा. वसा प्रभावती
37. डा. एस. रविन्द्रनाथ
38. श्री मनमोहन रेड्डी
39. श्री च. सुव्वा गव
40. श्री मोली
41. श्री जे. बाप्प रेड्डी
42. श्रीमती सरस्वती
43. डा. प. आर. विजयलक्ष्मी
44. श्री पोतकृची मम्बाशिव राव
45. श्री पर्वतला राव
46. डा. (श्रीमती) ए. रमणा औधरी
47. श्री राम माधव
48. श्री नारेण
49. श्री तर्चुलु सुव्वा राव
50. श्री के. तारानाथ
51. श्री त्रिपुरानेनी महाराधी
52. प्रो. पी. प्रमादा देवी
53. श्री एम.वी.आर. शास्त्री
54. श्री ए. हमुमत रेड्डी
55. श्री मुददम मोहन रेड्डी
56. श्री ए. शिव राम प्रसाद
57. डा. के. वेंकट रेड्डी
58. श्री के. श्रीधर राव
59. श्री वाई. वेंकट राव
60. श्रीमती पद्मावती आर.
61. श्री पी. एम. जयराज
62. श्रीमती एन. विजय लक्ष्मी
63. श्रीमती एन. मधुश्री
64. श्री डी. गविन्दर रेड्डी
65. श्री बी. बाल सुब्रह्मण्यम
66. श्री गोविन्दराजू चक्रवर
67. श्री के. सम्बाशिव राजू
68. श्री के. प्रकाश राव
69. श्री ए. सामन्तक रेड्डी
70. श्रीमती अंजनी कुमारी
71. मुश्ति डी. डिविंग
72. श्री एम. जे. मून्दर राव
73. श्री जी. मम्पत कुमार
74. श्री बी. शिव कमार रेड्डी
75. श्री के. सुंगमेश्वर रेड्डी
76. डा. एम. बाल

77. श्री मी. सतीश कुमार
78. श्री टी. बेकटगामा चेड्डी
79. श्रीमती वी. शावना
80. श्री वी. देवेन्द्र चेड्डी
81. श्री वी. जनर्दन चेड्डी
82. श्री जी. के. प.स. राजा
83. श्री एलिंद्रा गोपाल-ए. राय
84. श्रीमती परमेश्वरी शाबृगाथ
85. श्रीमती अनुरोधा दामोदर
86. श्री एस. भल्ला रेड्डी
87. श्री परिमल कमार
88. श्री टी. अशोक कमार गोड
89. श्री एन. सूर्यप्रकाश राव
90. श्री प्रेम गिहर राठोर
91. श्रीमती रत्ना जीतग्नी
92. श्री कृष्ण अंतरा रमेश ल्लोतुला
93. श्री जे. श्री राम चन्द्र जाम्बवी
94. प. रघु कुमार

[फा.सं. 813/2/99-एफ. (सी)]  
आग एन मल्होत्रा, इम्प्र अधिकारी

## MINISIRY OF INFORMATION AND BROADCASTING

New Delhi, the 14th June, 1999

S.O. 1885.—In exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 and in supersession of this Ministry's earlier Notifications on the subject, the Central Government is pleased to reconstitute the Hyderabad advisory panel of the Central Board of Film Certification and to appoint the following persons as members of the said panel with immediate effect for a period of two years or until further orders, whichever is earlier :-

1. Shri Akkineni Venkata Narayana
2. Ms. Aparajita Roy Sinha
3. Mrs. Asha Rani
4. Shri Bebbillapati Gopalakrishna
5. Shri Giri Babu
6. Gruappa Chowdary, M.L. Dr.
7. Shri Jagapathi Ramiah V.
8. Mrs. Jayashree
9. Kanakambara Raju C. Dr.
10. Shri Krishnanswamy, S.
11. Mrs. Lakshmi Meon
12. Shri Murali Krishna K.
13. Shri Narasimhanath Chowdhary
14. Shri Naresh
15. Shri Pandavala Yedukondalu
16. Shri Prasad Babu
17. Mrs. Radha Bala Subramanyam

18. Shri Satish Chandia A. V.
19. Shri Sri Prasad T. (Chitti Babu)
20. Shri Syed Ateek
21. Smt. T. Vijayalakshmi
22. Shri Tyaga Raju T. S.
23. Shri Vakiti Madhusudan
24. Shri Valle Narayan Reddy
25. Smt. J. Suryakantham
26. Smt. Lalitha Pasupathi
27. Shri A. N. Vyas
28. Smt. Attaluri Mani
29. Ms. Shrimani
30. Smt. Yedlapati Padmaja
31. Smt. M. Sarala Rani
32. Smt. Chitra Nagaraj
33. Shri C. J. Reddy
34. Smt. M. K. R. Ashalata
35. Smt. S. P. Suseela Kanaka Raju
36. Dr. Vasa Prabhavati
37. Dr. S. Ravindra Nath
38. Shri Man Mohan Reddy
39. Shri Ch. Subba Rao
40. Shri Mouli
41. Shri J. Bapu Reddy
42. Smt. Saraswathi
43. Dr. A. R. Vijayalakshmi
44. Shri Pothukuchi Sambasiva Rao
45. Shri Parvathala Rao
46. Dr. (Smt.) A. Ramana Choudhary
47. Shri Ram Madhav
48. Shri Nagesh
49. Shri Narravulu Subba Rao
50. Shri K. Tarannath
51. Shri Tripuraneni Maharahi
52. Prof. P. Pramada Devi
53. Shri M. V. R. Sastry
54. Shri A. Hanumanth Reddy
55. Shri Muddam Mohan Reddy
56. Shri A. Siva Rama Prasad
57. Dr. K. Venkat Reddy
58. Shri K. Sridhar Rao
59. Shri Y. Venkat Rao
60. Smt. Padmavathi R.
61. Shri P. S. Jayaram
62. Smt. N. Vijaya Lakshmi
63. Smt. N. Madhusri
64. Shri D. Ravinder Reddy
65. Shri B. Balasubrahmanyam
66. Shri Govindaraju Chakradhar
67. Shri K. Sambasiv Raju
68. Shri K. Prakash Rao
69. Smt. A. Samanthaka Reddy
70. Smt. Anjani Kumari

71. Ms. G. Indira  
 72. Shri M. J. Sunder Rao  
 73. Shri G. Sampath Kumar  
 74. Shri B. Sivakumar Reddy  
 75. Shri K. Sangameswar Reddy  
 76. Dr. S. Balu  
 77. Shri C. Satish Kumar  
 78. Shri T. Venkatarama Reddy  
 79. Smt. B. Bhuvana  
 80. Shri V. Devender Reddy  
 81. Shri B. Janardhan Reddy  
 82. Shri G. K. S. Raju  
 83. Shri Edida Gopala Rao  
 84. Smt. Parameswari Baburao  
 85. Smt. Anuradha Damodar  
 86. Shri S. Malla Reddy  
 87. Shri Parimal Kumar  
 88. Shri T. Ashok Kumar Goud  
 89. Shri N. Suryaprakash Rao  
 90. Shri Prem Singh Rathore  
 91. Smt. Ratna Chotrani  
 92. Sri Krishna Atchuta Ramayya Jyothula  
 93. Shri J. Sree Rama Chandra Sastry  
 94. Shri A. Ravi Kumar

[F. No. 813/2/99-F (C)]  
 R. N. MALHOTRA, Desk Officer

### गुद्धि पत्र

नई दिल्ली, 15 जून, 1999

का. आ. 1886.—केन्द्रीय फिल्म प्रमाणन बोर्ड के गुम्बई सचाहाकार पैनल के पुनर्गठन संवैधी दिनांक: 9-10-1998 की इन भवानय की उमसंस्थक अधिग्रहण में सदस्यों की सूची में क्रम संख्या 5, 27, 31, 34, 35, 36, 37, 40, 46, व 48 में निम्ननिवित नाम प्रतिष्ठापित किए जाएंगे, प्रथम् ।—

### क्र.सं. नाम

5. मुश्त्री बोनानी दाम गुट्टा  
 27. मुश्त्री पदमजा फेनानी जोगेकर  
 31. मुश्त्री शुभांगी अजोत तेंडुलकर  
 34. मुश्त्री वी.वी. फर्नान्दिस  
 35. मुश्त्री रूपल प्रताप प्रशांत  
 36. नक्षी मुनाष्चन्द्र अचला दामा  
 37. मुश्त्री यशवन्ती डी.जोगेकर  
 40. मुश्त्री दीना शमक्षणा  
 46. मुश्त्री मणि रघडी  
 48. श्री विज्वनाथ प्रभाद खन्ना

[का.सं. 809/9/98-एफ (सी)]

आर.एन. मल्होत्रा, डैस्क अधिकारी

### CORRIGENDUM

New Delhi, the 15th June, 1999

S.O. 1886.—In this Ministry's Notification of even number, dated 9-10-98 reconstituting the Mumbai Advisory Panel of Central Board of Film Certification, for serial Nos. 5, 27, 31, 34, 35, 36, 37, 40, 46 and 48 in the list of members, the following shall be substituted, namely :—

Sr. No.	Names
5	Ms. Bonani Dasgupta
27	Ms. Padmaja Phenny Joglekar
31	Ms. Shubangi Ajit Tendulkar
34	Ms. B. B. Fernandes
35	Ms. Rupal Pratap Prashant
36	Ms. Subhaschandra Achla Daga
37	Ms. Yashwanti D. Joglekar
40	Ms. Dina Ramakrishna
46	Ms. Mani Rabadi
48	Shri Vi-hwanath Prasad Khanna

[F. No. 809/9/98-एफ (सी)]  
 R. N. MALHOTRA, Desk Officer

### गुद्धि पत्र

नई दिल्ली, 15 जून, 1999

का.आ. 1887.—केन्द्रीय फिल्म प्रमाणन बोर्ड के बंगलौर सलाहकार पैनल के पुनर्गठन संवैधी दिनांक 9.10.98 की इस भवानय की समसंस्थक अधिग्रहण में सदस्यों की सूची के क्रम संख्या 2, 13, 21, 22 और 31 में निम्नलिखित नाम प्रतिष्ठापित किए जाएंगे, अर्थात् ।—

### क्र.सं. नाम

2. मुश्त्री अरुषी पोद्दार  
 13. मुश्त्री सनोबर जेह भट्टचार्य  
 21. मुश्त्री तुलसी रामचंद्रन राव  
 22. मुश्त्री विनय प्रसाद  
 33. मुश्त्री फारुख कैसर

[का.सं. 809/11/98-एफ (सी.)]

आर.एन. मल्होत्रा, डैस्क अधिकारी

### CORRIGENDUM

New Delhi, the 15th June, 1999

S.O. 1887.—In this Ministry's Notification of even number, dated 9-10-98 reconstituting the Bangalore Advisory Panel of Central Board of Film Certification for serial numbers 2, 13, 21, 22 and 31 in the list of members, the following shall be substituted, namely :—

Sr. No.	Name
2.	Ms. Arushi Poddar
13.	Ms. Sanober Z. Bharucha
21.	Ms. Tulasi Ramachander Rao
22.	Ms. Vinaya Prasad
33.	Ms. Farukh Kaiser

[F. No. 809/11/98-एफ (सी)]  
 R. N. MALHOTRA, Desk Officer

## खाद्य और उपभोक्ता मामले मंत्रालय

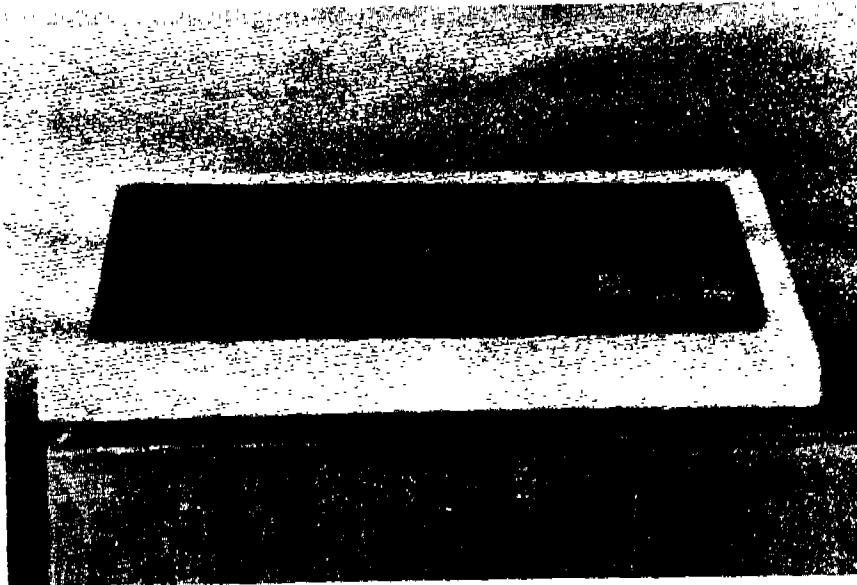
(उपभोक्ता मामले विभाग)

नई दिल्ली, 11 जून, 1999

**का.आ. 1888.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उमे पन्नति रिपोर्ट भर बिचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में धार्णत माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपर्योगों के अनुरूप हैं और इस बात की मंभावता है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेबा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए डब्ल्यू.डब्ल्यू.एफ.ई.डब्ल्यू.वाली श्रृंखला वर्गी अंकक प्रदर्शन महित अस्वचालित तोलन उपकरण (तुला चौकी) तोलन मर्शीन के माडल का, जिसके बांड का नाम “वे बैल” है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैमर्स वे बैल (इंडिया) 268, इंडस्ट्रीपल एरिया, फैज-1, चण्डीगढ़ द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन ई/09/98/193 समनुदेशित किया गया है, अनुमोदन प्रभाणपत्र प्रकाशित करती है।

उक्त माडल (आकृति देखें) मध्यम यथार्थता (यथार्थता वर्ग III) का अंकक प्रदर्शन महित अस्वचालित तोलन उपकरण (तुला चौकी) है, जिसकी अधिकतम क्षमता 20 टन और न्यूनतम क्षमता 100 किलोग्राम है। मत्यापन मापमान अन्तराल (इ) 5 किलोग्राम है। उपकरण 230 वोल्ट और 50 हर्ट्ज ऊर्जा की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करती है।



अंग, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा पदन शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रभाणपत्र के अन्वर्गत, उसी श्रृंखला के उसी मंक, यथार्थता और कार्यकरण धाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी प्रकार द्वारा होगा, जिसमें अनुमोदित माडल का विनिर्माण किया गया है, और जिसके मत्यापन मापमान का अन्तराल (एन) की अधिकतम भंख्या 10,000 (एन  $\leq$  10,000) से कम या उसके बराबर है तथा जिसका “ई” मान 1, 2, 5 श्रृंखला का है।

[फा.सं. डब्ल्यू.एम. 21(60)/96]

पी. ए. कृष्णमूर्ति, निदेशक, विभिन्न माप विज्ञान

**MINISTRY OF FOOD AND CONSUMER AFFAIRS**

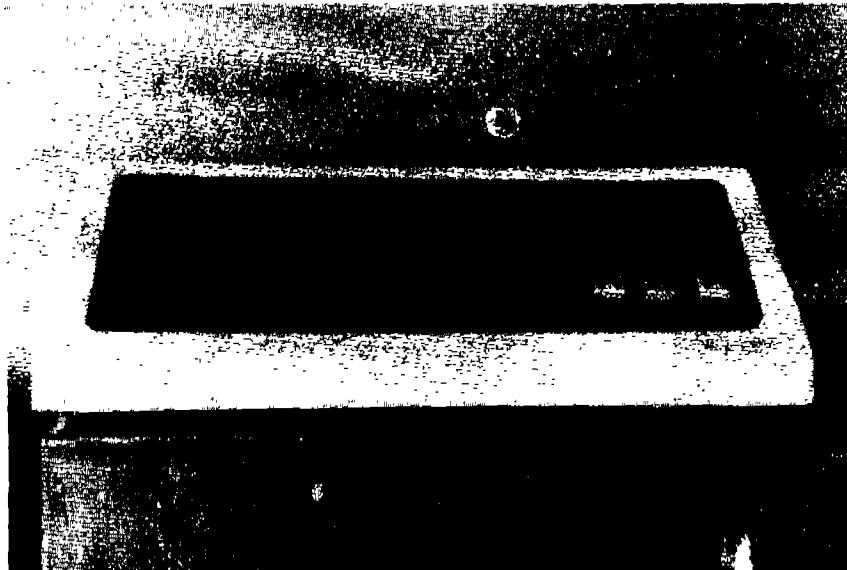
(Department of Consumer Affairs)

New Delhi, the 11th June, 1999

**S. O. 1888.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report ( see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (weighbridge) with digital display of type "WW-FEW" series. (herein referred to as the Model) and with brand name "WEIGHWELL" manufactured by M/s Weigh-Well (India) 268, Industrial Area, Phase I, Chandigarh, and which is assigned the approval mark IND/09/98/193

The said model is non-automatic weighing instrument (Weighbridge) belonging to Medium accuracy (class III). The maximum capacity is 20 tonne and minimum capacity is 100 kg. The verification scale interval '(c)' is 5 kg. The instrument works on single phase 220 volts at a frequency of 50 hertz, alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy class and of same series with maximum number of verification scale interval (n) less than or equal to 10,000 ( $n \leq 10000$ ) and manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured

[F. No. WM-21 (60)/96]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 जून, 1999

**का.आ. 1889.** — केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रग्नुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल ( आकृति नीचे दी गई है ) बाट और माप मानक अधिनियम, 1976 ( 1976 का 60 ) और बाट और माप मानक ( माडलों का अनुमोदन ) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिम्यतियों में उपयुक्त सेवा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा ( 7 ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग III यथार्थता ( मध्यम यथार्थता ) वाली "एम सी एम" श्रृंखला की, स्वतः सूचक, अस्वचालित, इलेक्ट्रॉनिक, अंकक मेजल तोलन मशीन के माडल का, जिसके ब्रांड का नाम "एम सी एम टी एल डब्ल्यू" है ( जिसे इसमें इसके पश्चात् माडल कहा गया है ) और जिसका विनिर्माण मेसर्स माइक्रो कन्ट्रोल मिस्टर्स, 9/668 ( 12 बी ) शान्ति नगर, इचाल कगान जो - 416 115 द्वारा किया गया है और जिसे अनुमोदन दिया आई एन डी/09/98/232 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल ( आकृति देखें ) मध्यम यथार्थता ( यथार्थता वर्ग III ) का तोलन उपकरण है, जिसकी अधिकतम क्षमता 6 किलोग्राम और न्यूनतम क्षमता 40 ग्राम है। सत्यापन मापमान अन्तराइ ( ई ) 2 ग्राम है। इसमें एक आदेयतुलन युक्ति है जिसका शत-प्रतिशत व्यक्तिनात्मक धारित आदेयतुलन प्रभाव है। भार याही आयताकार है जिसकी भुजाएं 250×250 मिली मीटर हैं। प्रकाश उत्पर्जक डायोड तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा ( 12 ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यकरण वाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल ( एन ) की अधिकतम भंख्या 10,000 ( एन  $\leq$  10,000 ) से कम या उसके बराबर है तथा जिसका "ई" मान 1, 2, 5 श्रृंखला का है।

[ फा.सं. डब्ल्यू.एम. 21(72)/98 ]

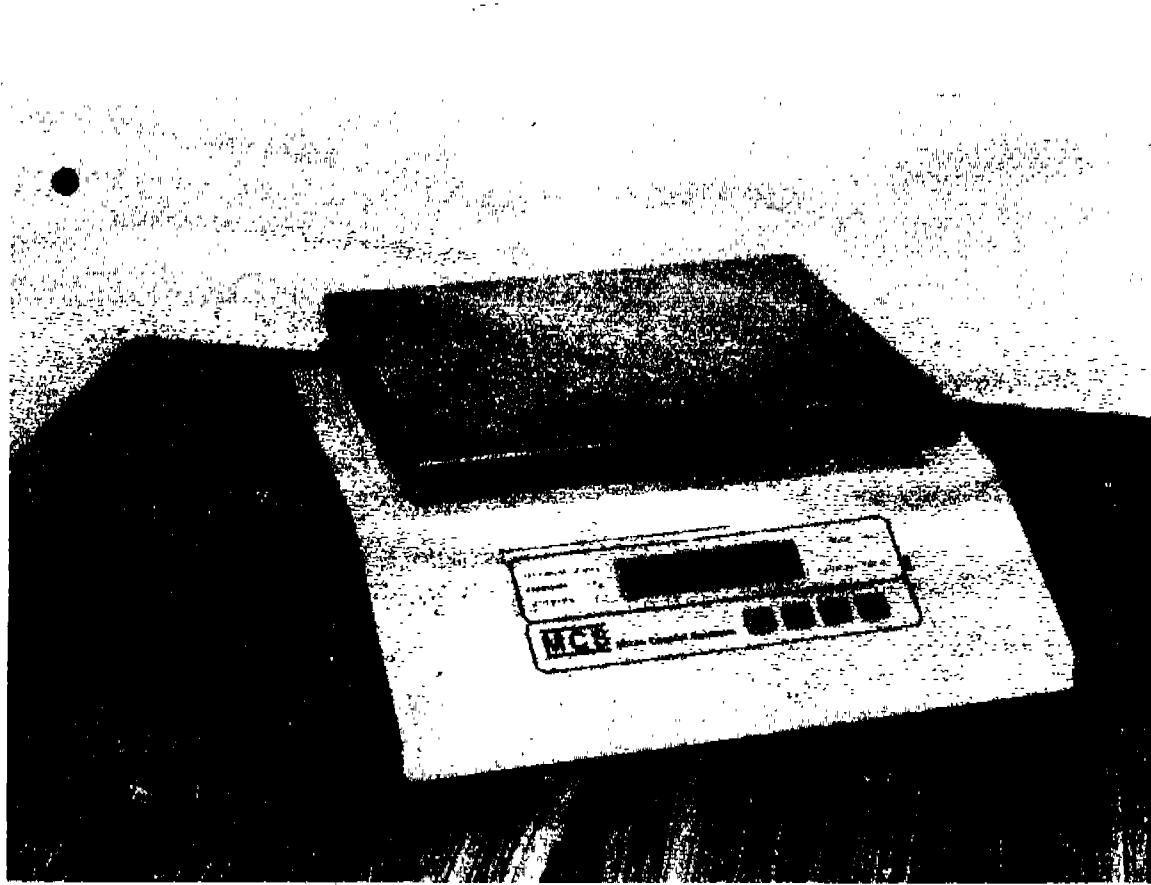
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th June, 1999

**S. O. 1889.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, electronic digital, Table top weighing machine of type "MCS-TLW" series of class III accuracy (Medium accuracy) and with brand name "MCS" (hereinafter referred to as the Model) manufactured by M/s Micro Control Systems, 9/668, (12b) Shanti Nagar, Ichalkaranji 416 115, and which is assigned the approval mark IND/09/98/232

The said Model (see the figure) is a Medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 6 kg and minimum capacity of 40 g. The verification scale interval ( $e$ ) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of sides 250×250 millimeter. The liquid crystal display indicates the weighing result. The instrument operates on 230 volts and frequency 50 hertz, alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum number of verification scale interval ( $n$ ) less than or equal to 10,000 ( $n \leq 10000$ ) and with ' $e$ ' value of 1, 2, 5 series manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (72)/98]

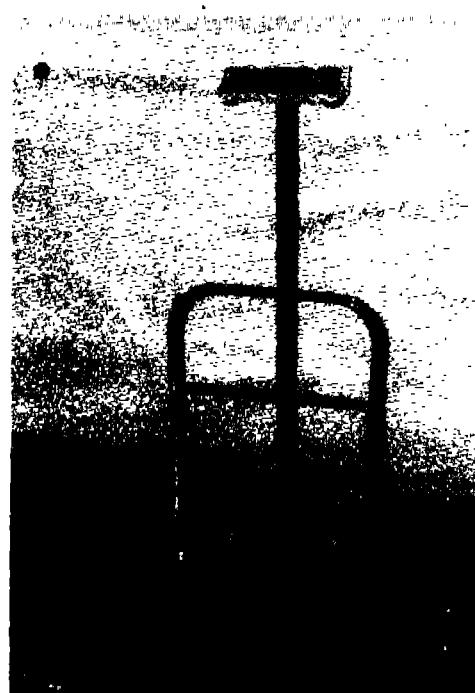
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 जून, 1999

**का.आ. 1890.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में यांत्रित माडल (आकृति नीचे दी गई है) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप है और इस आत की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिमितियों में उपयुक्त सेषा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वर्ग III यथार्थता (मध्यम यथार्थता) वाली "एम सी एम" शृंखला की, स्वतः सूचक, अस्वचालित, इलेक्ट्रॉनिक, अंकक प्लेटफार्म तोलन मशीन के माडल का, जिसके ब्रांड का नाम "एम सी एस" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्व माइक्रो कन्ट्रोल मिस्टरम म, 9/668 (12 बी) शान्ति नगर, इवाल करन जी-416 115 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/98/233 ममनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह माडल (आकृति देखें) मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है, जिसकी अधिकतम क्षमता 100 किलोग्राम और न्यूनतम क्षमता 400 ग्राम है। सत्यापन मापमान अन्तराल (ई) 20 ग्राम है। इसमें एक आदेयतुलन युक्ति है जिसका शत-प्रतिशत व्यक्तिनात्मक धारिता आदेयतुलन प्रभाव है। भाग्याही आयताकार है जिसकी भुजाएं 600×600 मिली मीटर हैं। प्रकाश उत्पर्जक डायोड तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला उसी मेक, यथार्थता और कार्यकरण धाता पेसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है जिसमें अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम संख्या 10,000 (एन ≤ 10,000) से कम या उसके अरावर है तथा जिसका "ई" मान 1, 2, 5 शृंखला का है।

[फा. सं. डब्ल्यू. एम.-21 (72)/98]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th June, 1999

**S. O. 1890.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, electronic digital, platform weighing machine of type "MCS" series of class III accuracy (medium accuracy) and with brand name "MCS" (hereinafter referred to as the Model) manufactured by M/s Micro Control Systems, 9/668, (12B) Shanti Nagar, Ichalkaranji-416 115, and which is assigned the approval mark IND/09/98/233.

The said Model (see the figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 100 kg and minimum capacity of 400 g. The verification scale interval (*e*) is 20 g. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of sides 600×600 millimetre. The liquid crystal display indicates the weighing result. The instrument operates on 230 volts and frequency 50 hertz, alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum number of verification scale interval (*n*) less than or equal to 10,000 ( $n \leq 10000$ ) and with '*e*' value of 1, 2, 5 series manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (72)/98]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, १८ जून १९९९

का.आ. १८९१.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट गे नणित माडल (आकृति नीचे दी गई है) बाट और माप मानक अधिनियम, १९७६ (१९७६ का ६०) और बाट और माप मानक (माडलों का अनुमोदन) नियम, १९८७ के उपर्युक्तों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा ३६ की उपधारा (७) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए धारा ॥ यथार्थता (उच्च यथार्थता) वाली “मी जॉ” श्रृंखला की अंकक प्रदर्शन सहित अस्वचालित (मेजतल तोलन उपकरण के माडल का, जिसके ब्रांड का नाम “इस्क्वायर” है (जिसे इसमें इसके पश्चात माडल कहा गया है) और जिसका विनिर्माण मेसर्स इलेक्ट्रोनिक मिस्ट्रम, ८४ विषेकानन्द पुरी, मराय रोहिला, दिल्ली-११०००७ द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/०९/१९९०७ समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल उच्च यथार्थता (यथार्थता धारा ॥) का अंकक प्रदर्श सहित अस्वचालित मेजतल तोलन उपकरण हैं, जिसकी अधिकतम क्षमता ६१० ग्राम और अन्तरम क्षमता २०० मिली ग्राम है। सत्यापन मापमान अन्तराल (ई) १० मिली ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जन डायोड प्रकार की है। उपकरण २२० वोल्ट और ५० हर्ट्ज आवृत्ति की प्रस्ताविती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा ३६ की उपधारा (१२) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यकरण वाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम मंख्या १०,००० (एन  $\leq$  १०,०००) बराबर है तथा जिसका “ई” मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के हैं, के धनात्मक या ऋणात्मक पूणीक या शून्य के समतुल्य हैं।

[ फा.सं. डब्ल्यू.एम. २१ (१०८)/९७]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th June, 1999

**S. O. 1891.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (figure), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic, weighing instrument (Table Top type) with digital indication (hereinafter referred to as the Model) of 'CG' series belonging to High accuracy class (Accuracy class II) and with brand name 'ESQUIRE', manufactured by M/s Electronic System, 84, Viveka Nand Puri, Sarai Rohilla, Delhi-110007 and which is assigned the approval mark IND/09/99/07:

The model is a non-automatic weighing instrument of table top type with digital indication of maximum capacity 610 g and minimum capacity of 200 mg belonging to High accuracy class (accuracy class II). The value of verification scale interval ( $e$ ) is 10 mg. The display unit is of liquid crystal diode type. The instrument operates on 220 v, 50 Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of said section, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of same make, and accuracy class with maximum number of scale interval (n) upto 100,000 ( $n \leq 1000$ ) and with ' $e$ ' value of  $1 \times 10k$ ,  $2 \times 10k$  and  $5 \times 10k$ , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same design and with same materials with which the approved model has been manufactured.

[F. No. WM-21 (108)/97]

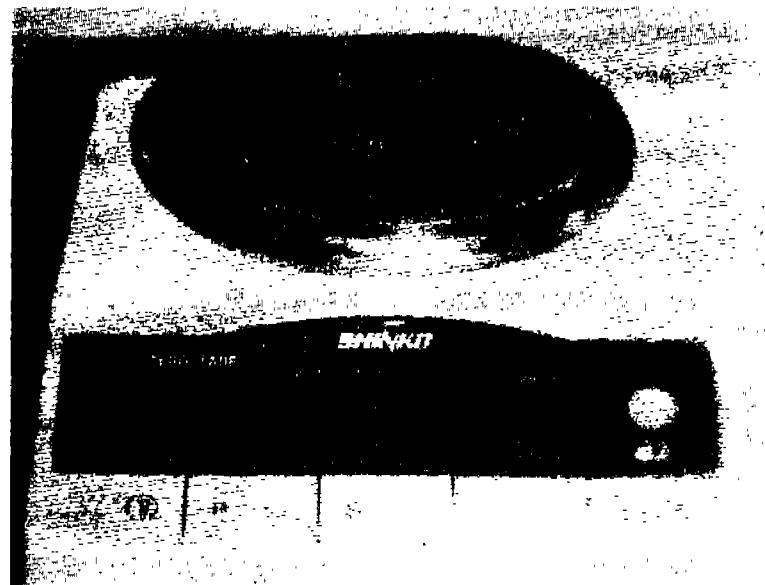
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, १८ जून, १९९९

**का.आ.** १८९२.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रत्युत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल ( आकृति नीचे दी गई है ) बाट और माप मानक अधिनियम, १९७६ ( १९७६ का ६० ) और बाट और माप मानक ( माडलों का अनुमोदन ) नियम, १९८७ के उपर्यंथों के अनुरूप हैं और इस बात को संभालना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त मेवा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा ३६ की उपधारा ( ७ ) द्वारा पदत्त शक्तियों का प्रयोग करते हुए वर्ग II यथार्थता ( उच्च यथार्थता ) बाली "री जे" श्रृंखला की अंकक प्रदर्शन सहित अस्यचालित ( मेजलल तोलन उपकरण के माडल का, जिसके ग्रांड का नाम "इस्क्रिवायर" है ( जिसे इसमें इसके पश्चात माडल कहा गया है ) और जिसका विनिर्माण मेसरें इलेक्ट्रॉनिक मिस्ट्रम, ८४ विवेकानन्द पुरी, मराय रोहिल्ला दिल्ली-११०००७ द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/०९/०८ समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल उच्च यथार्थता ( यथार्थता वर्ग II ) का अक्क प्रदर्शन सहित अस्यचालित मेजलल तोलन उपकरण है, जिसकी अधिकतम क्षमता ३०० ग्राम और अन्तर्मतम क्षमता २०० मिली ग्राम है। सत्यापन मापमान अन्तराल ( इ ) १० मिली ग्राम है। पदर्श इकाई प्रकाश उत्सर्जन डायोड प्रकार की है। उपकरण २२० वोल्ट और ५० हर्टज आवृत्ति की पत्वावर्ती धारा प्रत्युत प्रदाय पर काय करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा ३६ की उपधारा ( १२ ) द्वारा पदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला उसी मेक, यथार्थता और वार्यकरण यान्त्र ऐप्स तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी मापदण्ड से किया जाता है जिसमें अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल ( एन ) की अधिकतम मात्रा १००,००० ( एन  $\leq$  १००,००० ) वरावर है तथा जिसका "इ" मान १·१० के, २·१० के और ५·१० के हैं, के धनात्मक या ऋणात्मक पृणारु या शून्य के समतुल्य हैं।

[ फा.सं. डब्ल्यू.एम. २१( १०८ )/९७ ]

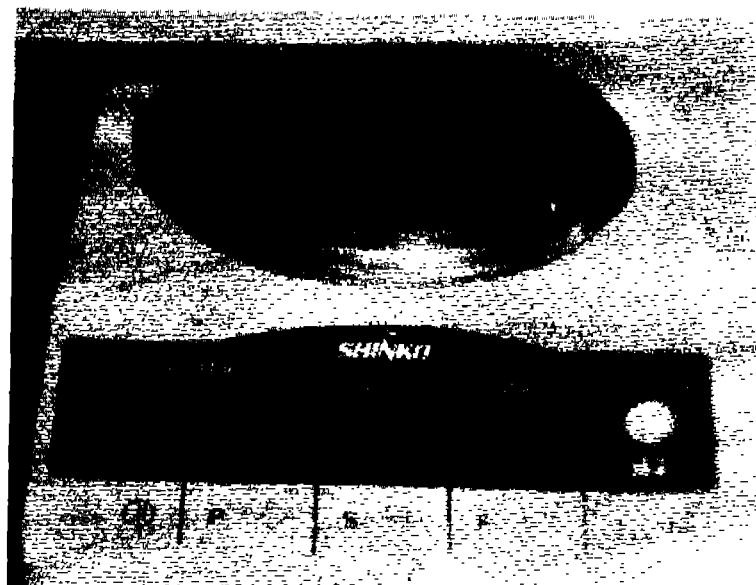
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th June, 1999

**S. O. 1892.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report ( figure), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of non-automatic weighing instrument (Table Top Type) with digital indication (hereinafter referred to as the Model) of 'DJ' series belonging to High accuracy class (Accuracy class II) and with brand name 'ESQUIRE', manufactured by M/s Electronic System, 84, Viveka Nand Puri, Sarai Rohilla, Delhi-110007 and which is assigned the approval mark IND/09/99/08.

The model is a non-automatic weighing instrument of table top type with digital indication of maximum capacity 300 g and minimum capacity of 200 mg belonging to High accuracy class (accuracy class II). The value of verification scale interval(e) is 10 mg. The display unit is of liquid crystal diode type. The instrument operates on 220 v, 50 Hertz alternate current power supply.



Further, in exercise of the power conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of same make, and accuracy class with maximum number of scale interval (n) upto 100,000 ( $n \leq 100,000$ ) and with 'e' value of ' $\times 10K$ ,  $2 \times 10K$  and  $5 \times 10K$ ', k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same design and with the same materials with which the approved model has been manufactured.

[F. No. WM-21 (108)/97]

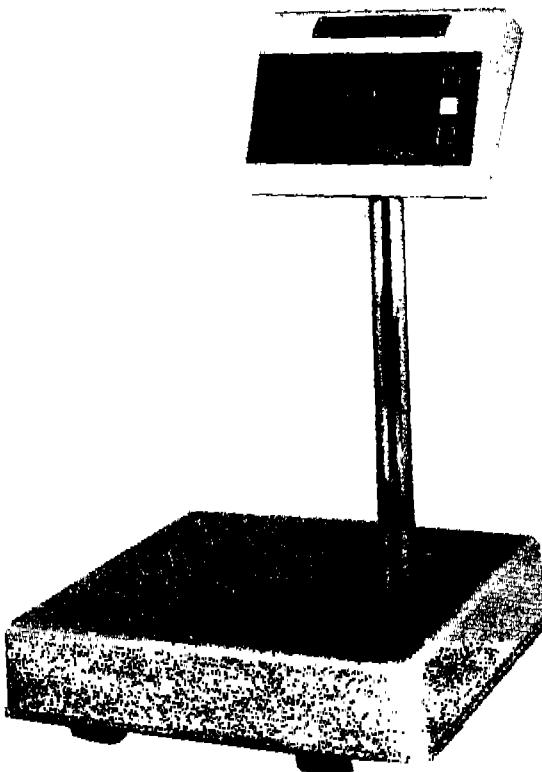
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, १८ जून, १९९९

का.आ. 1893.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उमे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (आकृति देखें) आट और माप मानक अधिनियम, १९७६ (१९७६ का ६०) और बाट और माप मानक (माडलों का अनुमोदन) नियम, १९८७ के उपर्योगों के अनुरूप है और संभावना यह है कि अवरित उपयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम को धारा ३६ की उपधारा (७) और उपधारा (८) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग III यथार्थता (यथार्थता) वाली "डी.एस-४१०" श्रृंखला की अंकक प्रदर्शन सहित अस्वचालित तोलन उपकरण (मेजतल) तोलन के माडल का, जिसके ब्रांड का नाम "ई सी डिग्री" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैमर्फ ई सी रिटोरा लिमिटेड, ३७७/२२, ६ टी क्रस, बिलसन गार्डन, बंगलौर-५६००२७ द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/०९/९९/०२ समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मात्रल मध्यम यथार्थता (यथार्थता वर्ग III) का अंकक प्रदर्शन सहित अस्वचालित (मेजतल प्रकार का) तोलन उपकरण है, जिसकी अधिकतम क्षमता १५/३० किलोग्राम इमलरेज और न्यूनतम क्षमता १०० ग्राम है। सत्यापन मापमान अन्तराल (ई) ५/१० ग्राम है। प्रदर्श इकाई नियोग प्रतिदीपि शील पद्धरी प्रयोग का उपकरण २२० वोल्ट और ५० हर्ट्ज आवृत्ति पर प्रत्यावर्ती धारा विस्तृत प्रदाय पर कार्य करता है।



आगे, अब, केन्द्रीय सरकार उक्त धारा की उपधारा (१२) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इन प्रमाण पत्र के इस प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यकरण धाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माता द्वारा उसी मंजदारत, डिजाइन और उसी मापदण्डी में किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (गन) की अधिकतम संख्या १०,००० (एन १०,०००) तक जिसका "ई" मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के हैं, के धनात्मक या ऋणात्मक पूर्णांक वा शृंखला के समतुल्य हैं।

[ फा.सं. डब्ल्यू.एम. २१(१०८)/९८ ]

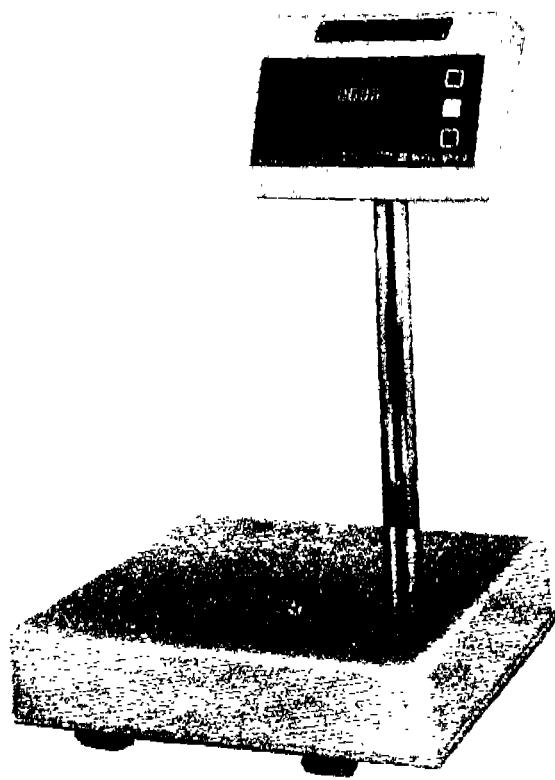
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th June, 1999

**S. O. 1893.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of non-automatic, weighing instrument (Table Top Type) with digital indication (hereinafter referred to as the Model) of 'DS-410' series belonging to Medium accuracy class (Accuracy class III) and with brand name 'ESSAE-DIGI', manufactured by M/s Essae Teraoka Limited, 377/22, 6th Cross, Wilson Garden, Bangalore-560 027 and which is assigned the approval mark IND/09/99/02.

The model is a non-automatic weighing instrument of table top type with digital indication of maximum capacity 15/30 Kg (Dual Range), minimum capacity of 100g and belonging to medium accuracy class (accuracy class III). The value of verification scale interval ( $e$ ) is 5/10g. The display unit is of Vacuum Fluorescent Display (VFD) type. The instrument operates on 220 V, 50 Hertz alternate current power supply.



And further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the model shall also cover weighing instruments of same make, and accuracy class with maximum number of scale interval ( $n$ ) upto 10,000 ( $n \leq 10,000$ ) and with ' $e$ ' value of  $1 \times 10K$ ,  $2 \times 10K$  and  $5 \times 10K$ ,  $k$  being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same design and with the same materials with which the approved Model has been manufactured.

[F. No. WM-21 (108)/98]

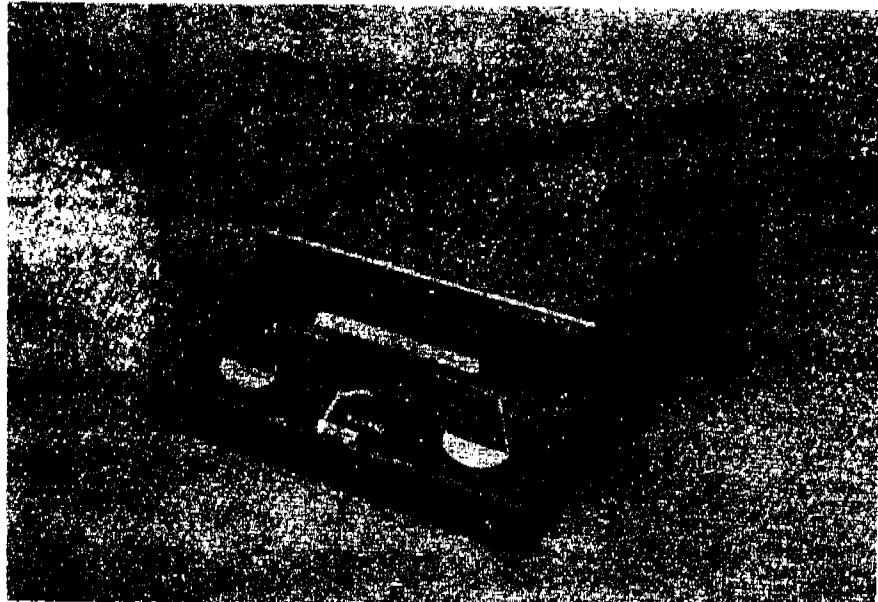
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 18 जून, 1999

**का.आ. 1894.** — केन्द्रीय सरकार का, विहित पारिविकारी द्वारा उम्मे पर्याप्त की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (आकृति देखें) ब्राट और माप मानक अधिनियम, १९७६ (१९७६ का ६०) और ब्राट और माप मानक (माडलों का अनुमोदन) नियम, १९८७ के उपर्योग की अवधियाँ और उपर्योग की अवधियाँ में भी उक्त माडल यथार्थता शामाल रखेगा और परिवर्तित दशाओं में उपयुक्त मेंदा करता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा ३६ की उपभारा (७) और उपभारा (८) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग II यथार्थता (उच्च यथार्थता) वाली "आर ई एस" श्रृंखला की अंकक प्रदर्शन महित अस्वचालित तोलन उपकरण (मेजतल प्रकार के) के माडल का, जिसे इसमें इसके पश्चात् माडल कहा गया है जिसके ब्रांड का नाम रचना डिजिटल भंकल है और जिसका विनिर्माण मेंभर्म रचना इलेक्ट्रोनिक्स, १७४, शनिवार बर्ड, तिलक घास, माले गांधी, नासिक-४२२४०० द्वारा किया गया है और जिसे अनुमोदन चिह्न आर एन डी/०९/१५ समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करता है।

यह माडल उच्च यथार्थता (यथार्थता वर्ग II) का अंकक प्रदर्शन महित अस्वचालित (मेजतल प्रकार का) तोलन उपकरण है, जिसकी अधिकतम क्षमता १५ किलोग्राम और न्यूनतम क्षमता १०० ग्राम है। सत्यापन मापमान अन्तराल (ई) २ ग्राम है। सत्यापन प्रदर्श इकाई प्रकाश उत्सर्जन छायोड प्रकार की है। उपकरण २२० थोल्ट और ५० हर्टज आवृत्ति की पत्थावती धारा विद्युत प्रदाय पर वर्गीकृत करता है।



आगे, अब, केन्द्रीय सरकार उक्त धारा की उपभारा (१२) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन इस प्रमाण-पत्र के अन्तर्गत उसी श्रृंखला के उसी मेंक, यथार्थता और कार्यकरण याला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माण द्वारा उसी प्रियांत, डिजाइन और उसी सामग्री से किया जाता है जिसमें अनुमोदित माडल का विनिर्माण किया गया है और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम मंख्या १००,००० (एन: १००,०००) तक जिसका "ई" मान  $1 \cdot 10$  के,  $2 \cdot 10$  के और  $5 \cdot 10$  के हैं, के बनात्मक या त्रट्यात्मक पूर्णीक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू.एम. २१(७)/१९९८]

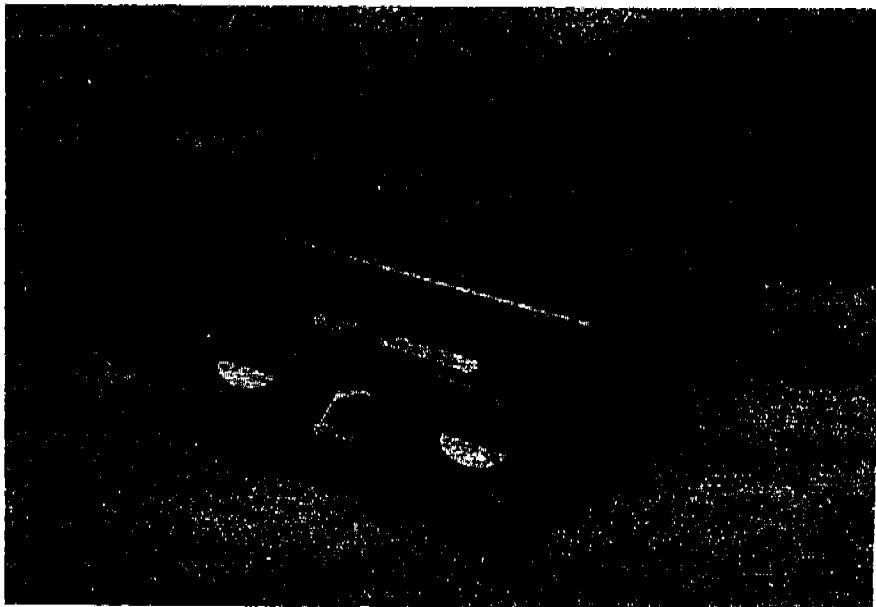
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th June, 1999

**S. O. 1894.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic, weighing instrument (Table Top Type) with digital indication (hereinafter referred to as the Model) of 'RES' series belonging to High accuracy class (Accuracy class II) and with brand name 'RACHANA DIGITAL SCALE', manufactured by M/s Rachana Electronics, 174, Shanivar Ward, Tilak Chowk, Malegaon, Nasik-422 400 and which is assigned the approval mark IND/09/99/14.

The model is a non-automatic weighing instrument of table top type with digital indication of maximum capacity 15 Kg, minimum capacity of 100g and belonging to high accuracy class (accuracy class II). The value of verification scale interval (c) is 2 g. The display unit is of Light Emitting Diode (LED) type. The instrument operates on 220 V, 50 Hertz alternate current power supply.



And further, in exercise of the power conferred by sub-section (12) of said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of same make, and accuracy class with maximum number of scale interval (n) upto 100,000 ( $n \leq 100,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  and  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same design and with the same materials with which the approved Model has been manufactured.

[F. No. WM-21 (7)/98]

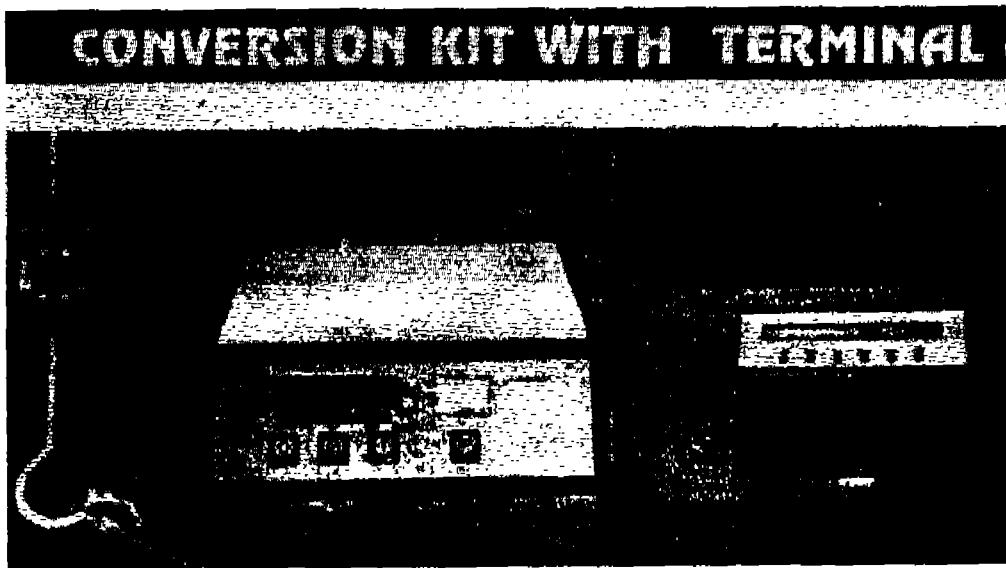
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 18 जून, 1999

**का.आ. 1895.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (आकृति नीचे दी गई है) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और निम्न परिस्थितियों में उपयुक्त सेवा करता रहेगा,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मध्यम यथार्थता (वर्ग III) "टेक" श्रृंखला की अंकक प्रदर्शन सहित अस्वचालित तोलन उपकरण (तुला चौकी के लिए संपरिवर्तन किट) तोलन मशीन के माडल का, जिसके ब्रांड का नाम "वे ट्रानिक्स" है (जिसमें पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स टेक्नो स्केल इंडस्ट्री, 47, श्री सोमनाथ चोक, नरम पुरा चार रास्ता, विजय नगर रोड, अहमदाबाद-380 013 द्वारा किया गया है और जिसे अनुमोदित चिह्न आई एन डी/09/98/202 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल (आकृति देखें) मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है, जिसकी अधिकतम क्षमता 20 टन और नवूनतम क्षमता 100 किलोग्राम है। सत्यापन मापमान अन्तराल (ई) 5 किलोग्राम है। प्रदर्श इकाई तरल क्रिस्टल डायोड प्रकार का है। उपकरण 220 बोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला, उसी मेक, यथार्थता और कार्यकरण बाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम संख्या 10,000 (एन १०,०००) बराबर है तथा जिसका "ई" मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के हैं, के धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य है।

[फा.सं. डब्ल्यू.एम. 21(37)/97]

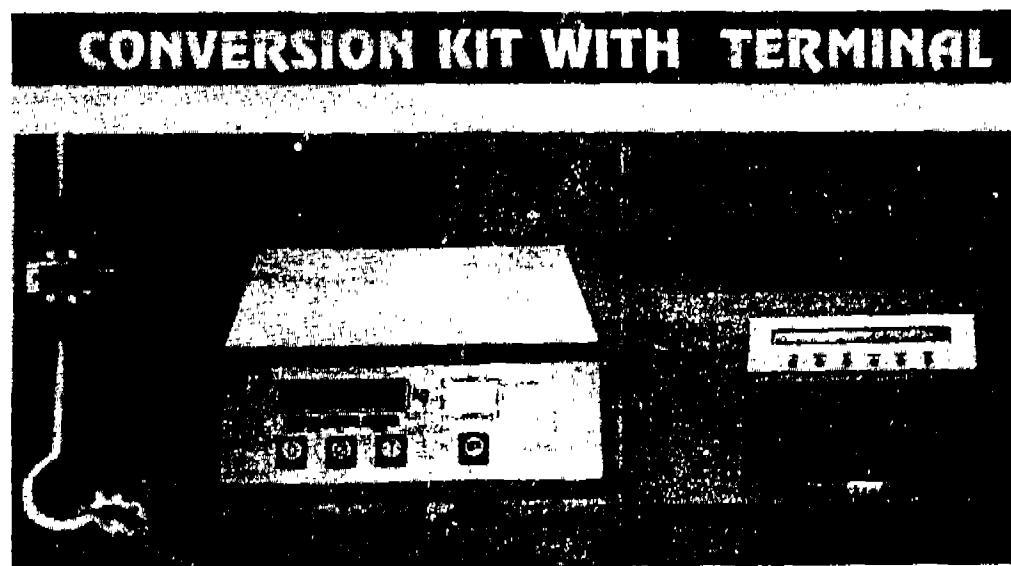
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th June, 1999

**S. O. 1895.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions.

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of the non-automatic weighing instrument (Conversion kit for weighbridge) with digital indication (hereinafter referred to as the Model) of 'TECH' series belonging to medium accuracy class (Accuracy class III) and with brand name 'WFIGHTRONICS', manufactured by M/s Techno Scale Industry, 47, Shree Somnath Soc., Narampura Char Rasta, Vijaynagar Road, Ahmedabad-380 013 and which is assigned the approval mark IND/09/98/202;

The model is a non-automatic weighing instrument with digital indication of maximum capacity 20 tonne and minimum capacity of 100kg and belonging to Medium accuracy class (accuracy class (III)). The value of verification scale interval ( $e$ ) is 5 Kg. The display unit is of Liquid Crystal Diode (LCD) type. The instrument operates on 220 V, 50 Hertz alternate current power supply.



And further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover weighing instruments of same make, and accuracy class with maximum number of scale interval ( $n$ ) upto 10,000 ( $n \leq 10,000$ ) and with ' $e$ ' value of  $1 \times 10K$ ,  $2 \times 10K$  and  $5 \times 10K$ , being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same design and with the same materials with which the approved Model has been manufactured.

[F No. WM-21 (37)/97]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 18 जून, 1999

**का. आ. 1896.**—केन्द्रीय सरकार का, विधित प्राधिकारी द्वारा उसे प्रमुख की गई रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस आत की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वर्ग III यथार्थता (मध्यम यथार्थता) वाली “ए. ली. पी.डब्ल्यू. एम” श्रृंखला की अंकक प्रदर्शन सहित अस्थचालित, भेजतल तोलन उपकरण के माडल का, जिसके ब्रांड का नाम “एडप्रो आटोमेशन” है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण भेसर्स एड प्रो आटोमेशन, सै. 9/1, श्री लक्ष्मी रंगाम्बामी निलाया, थामप्पा कंप्याउण्ट, नेताजी नगर, टी. बासराडल्ली, बंगलौर-560057 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/99/09 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल मध्यम यथार्थता (यथार्थता वर्ग III) का अंकक प्रदर्शन सहित अस्थचालित भेजतल तोलन उपकरण है, जिसकी अधिकतम क्षमता 20 किलो ग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) 5 ग्राम है। प्रदर्श इकाई प्रकाश उत्पर्जन डायोड प्रकार की है। उपकरण 220 बोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यार्थी धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला, उसी मेक, यथार्थता और कार्यकरण बाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माता द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमेदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम संख्या 10,000 (एनडी10,000) से कम है तथा जिसका “ई” मान 1 × 10 के, 2 × 10 के और 5 × 10 के हैं, के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम. 21(46)/98]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th June, 1999

**S. O. 1896.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (signre), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of non-automatic, weighing instrument (Table Top Type) with digital indication (hereinafter referred to as the Model) of 'ADP/WS' series belonging to Medium accuracy class (Accuracy class III) and with brand name 'ADPRO AUTOMATION', manufactured by M/s Adpro Automation, No 9/1, Sri Laxmi Rangaswamy Nilaya, Thammappa Compound, Nethaji Nagar, T. Dasarahalli, Bangalore-560 057 and which is assigned the approval mark IND/09/99/09.

The model is a non-automatic weighing instrument table top type with digital indication of maximum capacity 20 kg and minimum capacity of 100g and belonging to Medium accuracy class (accuracy class III). The value of verification scale interval ( $e$ ) is 5 g. The display unit is of Light Emitting Diode (LED) type. The instrument operates on 220 V, 50 Hertz alternate current power supply.



Further, in exercise of the power conferred by sub-section (12) of the said section the Central Government hereby declares that this certificate of approval of the Model shall also cover weighing instruments of same make, and accuracy class with maximum number of scale interval ( $n$ ) upto 10,000 ( $n \leq 10,000$ ) and with ' $e$ ' value of  $1 \cdot 1( - 2 \times 10^k \text{ and } 5 \times 10^k, k \text{ being a positive or negative whole number or equal to zero.})$ , manufactured by the same manufacturer with the same design and with the same materials with which the approved Model has been manufactured.

[F. No. WM-21 (46)/98]

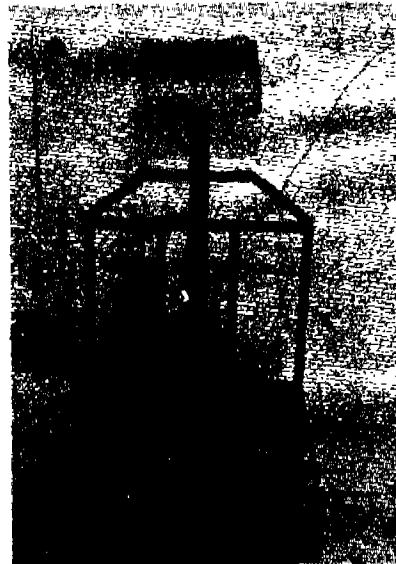
P. A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 18 जून, 1999

**का. आ. 1897.** — केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वर्ग III यथार्थता (मध्यम यथार्थता) यारी “ए. डी. पी./डब्ल्यू. एस” श्रृंखला की अंकक प्रदर्शन सहित अस्वचालित (प्लेट फार्म) तोलन उपकरण के माडल का, जिसके ब्रांड का नाम “एडप्रो आटोमेशन” है (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मेसर्स एडप्रो आटोमेशन, सै. 9/1 श्री लक्ष्मी रंगस्थामी निलाया, भारतीय कम्पाउण्ड, नेताजी नगर, टी. वासराडल्ली, बंगलौर-560057 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/99/10 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह माडल मध्यम यथार्थता (यथार्थता वर्ग III) का अंकक प्रदर्शन सहित अस्वचालित प्लेट फार्म तोलन उपकरण है, जिसकी अधिकतम क्षमता 200 किलो ग्राम और न्यूनतम क्षमता 1 किलोग्राम है। मत्यापन मापमान अन्तराल (ई) 50 ग्राम है। प्रदर्श इकाई प्रकाश उत्पर्जन डायोड प्रकार की है। उपकरण 230 बोल्ट और 50 हर्ट्ज आवृत्ति की प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला, उसी मंक, यथार्थता और कार्यकरण वाला ऐसा तोलन उपकरण भी होगा, जिसका विनिर्माण उसी विनिर्माण द्वारा उसी डिजाइन और उसी सामग्री से किया जाता है जिसमें अनुमोदित माडल का विनिर्माण किया गया है, और जिसके सत्यापन मापमान का अन्तराल (एन) की अधिकतम संख्या 10,000 (एनडॉल्यूनेंहार्डॉन्फॉर्मेन्ट) बराबर है तथा जिसका “ई” मान  $1 \times 10$  के,  $2 \times 10$  के और  $5 \times 10$  के हैं, के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ फा. म. डब्ल्यू. एस. 21(46)/98 ]

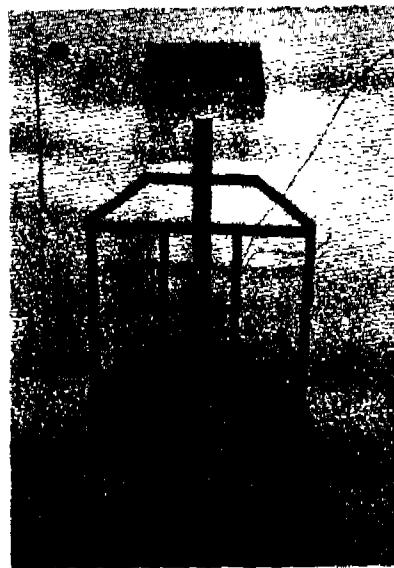
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th June, 1999

**S. O. 1897.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (figure), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain the accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of non-automatic, weighing instrument (Platform Type) with digital indication (hereinafter referred to as the Model) of 'ADP/WS' series belonging to Medium accuracy class (Accuracy class III) and with brand name 'ADPRO AUTOMATION', manufactured by M/s Adpro Automation, No. 9/1, Sri Laxmi Rangaswamy Nilaya, Thammiappa Compound, Nethaji Nagar, T. Dasarahalli, Bangalore-560 057 and which is assigned the approval mark IND/09/99/10.

The model is a non-automatic weighing instrument table top type with digital indication of maximum capacity 200 Kg and minimum capacity of 1 Kg and belonging to Medium accuracy class (accuracy class III). The value of verification scale interval (e) is 50 g. The display unit is of Light Emitting Diode (LED) type. The instrument operates on 220 V, 50 Hertz alternate current power supply.



Further, in exercise of the power conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover weighing instruments of same make, and accuracy class with maximum number of scale interval (n) upto .10,000 ( $n \leq 10,000$ ) and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  and  $3 \times 10^k$ , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same design and with the same materials with which the approved Model has been manufactured.

[F. No. WM-21 (46)/98]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

भैंसिली, 22 जून, 1999

का. आ. 1898.— केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि भोटर स्प्रीट, उच्चकोटि तेल और हाईस्पीड डीजल के भारत पेट्रोलियम कारपोरेशन लिमिटेड इरपानम् कोचीन, संस्थापन से तमिलनाडु राज्य के करुर में परिवहन के लिए पेट्रोनेट सी.सी.के. लिमिटेड द्वारा पाइपलाइन बिछायी जानी चाहिए।

और ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 की 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपभोग का अधिकार अर्जित करने के अपने आशय की घोषणा करती है।

अतः उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए जाने की तारीख से इक्कीस दिन के भीतर इनमें उपयोग के अधिकार का अर्जन या सक्षम प्राधिकारी के अधीन भूमि के नीचे पाइपलाइन बिछाने के संबंध में आक्षेप, लिखित रूप में श्री वी. कुप्पण्णन्, सक्षम प्राधिकारी, कोचीन, कोयम्बटूर, करुर पाइपलाइन परियोजना, प्रथम मजिल, कोवाई टावर्स, नं 44 बालासुन्दरम् रोड, कोयम्बटूर-18 पिन -641 018 को कर सकेगा।

### अनुसूची

तालुका कन्नायाम

जिला - इरोड

राज्य - तमिलनाडु

गाँव का नाम	सर्वेक्षण सं०	क्षेत्र		
		हेक्टेयर	आरे	वर्ग भीटर
1	2	3	4	5

मेट्रोपालायाम  
(पूर्व)

352/A1B	0	08	57
1084/8	0	00	62
1053/4	0	02	14
1045/2	0	00	33

(1)	(2)	(3)	(4)	(5)
<b>मेटूपालायाम</b>				
	( पश्चिम )			
	264/B1	0	00	37
	25/C	0	01	28
<b>वीराचोलापुराम</b>	249/1	0	42	59
	237/2A	0	16	90
	236/1	0	00	07
	221/1	0	03	39
	222/1	0	24	64
	217/3B	0	03	17
	202/3	0	00	18
<b>पाचापालायाम</b>	9/2A	0	00	38
<b>वीरानामपालायाम</b>	872/6	0	06	94
	872/2	0	09	80
<b>कन्नायाम</b>	827/2	0	00	26
	925/3	0	00	44
	639/6	0	01	02
	640/6	0	00	04
<b>काडायूर</b>	111/4	0	00	40
	119/2	0	00	43
	135/7	0	00	14
	205/11	0	01	95
	196/1	0	08	99
	195/14	0	03	03
	195/12	0	00	80
<b>सम्बन्धामपालायाम</b>	232/7	0	00	18
	181/2	0	12	02
	236/10	0	00	22

[आर-31015/5/98-ओ.आर.-II]

जे. के. मयाल, अवर सचिव

**Ministry of Petroleum and Natural Gas**

New Delhi, the 22th June, 1999

S.O. 1898.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Motor Spirit, Superior Kerosene Oil and High Speed Diesel from Irumpanam Installation of Bharat Petroleum Corporation Limited, Irumpanam, Cochin to Karur in the state of Tamil Nadu, a pipeline should be laid by Petronet CCK Limited;

And, whereas, for the purpose of laying such pipeline it is necessary to acquire the right of user in the lands described in the schedule annexed to this notification;

Now, therefore, in the exercise of powers conferred by sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in land described in the said schedule may within twenty one days from the date on which the copies of the notification as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein for laying the pipeline under the land to Shri V. Kuppannan, Competent Authority (Tamil Nadu), Cochin-Coimbatore-Karur Pipeline Project, 1st Floor, "KOVAI TOWERS", No.44, Balasundaram Road, Coimbatore-18. Pin : 641 018.

**Schedule**

DISTRICT : ERODE      TALUK : KANGAYAM      STATE : TAMIL NADU

Name of the Village (1)	Survey No. (2)	Hectors (3)	Ares (4)	Sq. Mts. (5)
METTUPALAYAM (EAST)	352/A1B	0	08	57
	1084/8	0	00	62
	1053/4	0	02	14
	1045/2	0	00	33

(1)	(2)	(3)	(4)	(5)
METTUPALAYAM (WEST)	264/B1 25/C	0 0	00 01	37 28
VEERACHOLAPURAM	249/1 237/2A 236/1 221/1 222/1 217/3B 202/3	0 0 0 0 0 0 0	42 16 00 03 24 03 00	59 90 07 39 64 17 18
PACHAPALAYAM	9/2A	0	00	38
VEERANAMPALAYAM	872/6 872/2	0 0	06 09	94 80
KANGAYAM	827/2 925/3 639/6 640/6	0 0 0 0	00 00 01 00	26 44 02 04
KADAYUR	111/4 119/2 135/7 205/11 196/1 195/14 195/12	0 0 0 0 0 0 0	00 00 00 01 08 03 00	40 43 14 95 99 03 80
SAMBANTHAMPALAYAM	232/7 181/2 236/10	0 0 0	00 12 00	18 02 22

[R-31015/5/98-OR-II]  
J.K. MAYALL, Under Secy.

नई दिल्ली, 23 जून, 1999

का. आ. 1899.— केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि पेट्रोलियम उत्पादों के परिवहन के लिए कर्नाटक राज्य में मंगलूर से बैंगलूर तक हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए।

और केन्द्रीय सरकार को यह भी प्रतीत होता है कि इस पाइपलाइन को बिछाने के प्रयोजनार्थ यह आवश्यक है कि इस अधिसूचना के साथ संलग्न अनुसूची में विनिर्दिष्ट भूमि जिसमें उक्त पाइप लाइन बिछाए जाने का प्रस्ताव है, में उपयोग का अधिकार अर्जित किया जाए।

अतः, अब केन्द्र सरकार (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने के अपने आशय की घोषणा करती है।

कोई भी व्यक्ति उक्त अनुसूची में वर्णित भूमि में हितबद्ध है तो वह इस अधिसूचना के भारत के राजपत्र में प्रकाशन प्रतियों के जनता को उपलब्ध कराए जाने की तारीख से इक्कीस दिन के भीतर भूमि में उपयोग का अधिकार द्वारा भूमि में पाइपलाइन बिछाने पर लिखित रूप में आक्षेय, सक्षम प्राधिकारी, मंगलूर-बैंगलूर पाइपलाइन परियोजना, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, 332, दारु सलाम बिल्डिंग, क्वीन्स रोड, बैंगलूर- 560 052 कर्नाटक को कर सकेगा।

## अनुसूची

राज्य : कर्नाटक

जिला : तुमकूर

तालुका का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई हो )	क्षेत्रफल एकड़-गुन्डा
1	2	3	4	5
तुरुवेकरे	इंदुमारानाहल्ली	91 129 131 13 7 6 31 47 50 53 60 57		0-14 0-06 0-01 0-03 0-02 0-04 0-03 0-01 0-05 0-02 0-01 0-01
	दब्बेधाट्टा	112 30 31 36 16 296 264 260 300 297 7 49 32 117	1	0-03 0-03 0-08 0-37 0-04 0-05 0-09 0-13 0-01 0-01 0-01 0-02 0-02 0-02
	गुरलामारा	162 76 62 67 59		2-01 0-02 0-01 0-02 0-01
	इल्लेनाहल्ली कावल	1		0-19

1	2	3	4	5
		2		0-09
		3		0-12
		7		0-31
	बुरडे होसहल्ली	1		0-14
	करडीगरे	32		0-07
		66		0-04
		40	9	0-06
	दननायकनापुरदा कावल	4		0-04
		72		0-05
		110	2	0-02
		127	1	0-01
		75		0-01
		73		0-03
		121		0-08
		113		0-04
		118		0-02
		82		0-24
		83		0-24
	दोडडबीरनकेरे	143		0-01
		132		0-05
		120	2	0-01
		123	1	0-02
		199	1	0-01
		126		0-02
		145		0-07
		160	7	0-02
		161	1	0-04
		161	8	0-02
		130		0-04
		120	2	0-01
		200		0-04
		67	4	0-02
		151		0-16
		70	1	0-07
		70	8	0-01
		70	12	0-06
		70	13	0-04
		70	17	0-02
		70	18	0-01
		25	1	0-04
		25	2	0-02

1	2	3	4	5
		25	3	0-02
		25	4	0-04
		25	5	0-02
		25	6	0-03
		25	7	0-08
		25	8	0-02
		25	9	0-01
		3		0-02
		23	1	0-03
		23	5	0-02
		23	6	0-02
		22		0-05
		21		0-02
		18		0-26
		46		0-06
		47		0-21
		24		0-01
	रामासागरा	37	3	0-10
		37	7	0-06
		102		0-07
	ब्यातराहोसाहल्ली	47		0-11
		41	1	0-02
		41	2	0-02
		41	3	0-02
		41	4B	0-06
		40		0-01
	वराहासंद्रा	72		0-28
		113		0-04
		112		0-04
		65		0-01
		127	2A2	0-09
		133	1	0-13
		161	3	0-02
		161	4	0-03
		151		0-05
		154		0-16
		156		0-01
		159		0-01
		112	2	0-04
		113		0-02
		64		0-03

1	2	3	4	5
	मल्लेनाहल्ली	100		0-10
		95		0-04
		85		1-10
		83	1	0-21
		83	2	0-14
		73	1	0-01
	नेरिगेहल्ली	9	2	0-01
		91		0-03
		100	2	0-01
	गविनाथापुरा	4		0-04
		35		0-03
		74		0-01
कुणिगल	चेतनाहल्ली	28	2	0-01
		28	4	0-01
		15	6	0-01
	हंपापुरा	31		0-03
		16	2	0-02
	जड़डीगेरे	137		0-03
		138		0-03
		133	2	0-02
	हेडिगेरे	62		0-09
		61		0-04
		68	2	0-07
		78	2	0-03
	गुन्नागारा	100		0-03
		198		0-36
		182		0-06
		169	8	0-04
		169	7	0-03
		169	6	0-04
		169	4	0-03
		169	3	0-01
		168		0-22
		130		0-05
		131		0-03
		124		0-04
		96	2A2	0-01
		96	3A	0-12
		96	3B	0-16
		113		1-02

1	2	3	4	5
	रायगोनाहल्ली	111		0-07
		118		0-15
		27		0-09
		30	4	0-07
		38		0-05
		49	2A	0-06
		50		0-03
	वनागिरी	155		0-20
		144	1	0-01
	भक्टराहल्ली	34		0-06
		32		0-01
		35	2	0-02
	कुरुडीहल्ली	56		0-06
		62		0-33
		65	5	0-02
		70	1	0-11
		61		0-02
	कुरुडीहल्ली चतुरवागा	7	3	0-03
		41		0-04
		41	2	0-05
		41	3	0-02
		28	1	0-01
	बागेनाहल्ली	36		0-07
		35		0-05
		31		0-01
		45		0-05
		33		0-01
		39	1	0-02
		40		0-01
	केंपासागर	157	3	0-04
		118		0-02
		119		0-20
		149		0-06
		122	4	0-01
		151		0-01
		143	3	0-01
		166		0-02

## अनुसूची

राज्य : कर्नाटक

जिला : माण्ड्या

तालुक का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई हो)	क्षेत्रफल एकड़-गुन्डा
1	2	3	4	5
नागमंगला	सिद्धापुरा	26	5	0-01
		26	7A	0-01
		26	7B	0-06
		58		0-03
		27	2	0-02

## अनुसूची

राज्य : कर्नाटक

जिला : बेंगलूरु ग्रामीण

तालुक का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई हो)	क्षेत्रफल एकड़-गुन्डा
1	2	3	4	5
मागडी	नारायणपुरा	14	4A	0-01
	हेळ्लालु	90		0-04
		89		0-02
		88		0-13
		86		0-05
		84		0-04
		40	1A	0-04
		40	3A	0-07
		41		0-02
		42	2	0-03
		45		0-18
		99		0-01
		98	1	0-01
		29		0-02
		30	1A	0-02
	सांकीगटा	215	4	0-08
		215	5	0-02
		12	4	0-09
		16		0-06
		41	3	0-05
	हुल्लेनाहल्ली	89	3	0-01
		89	4	0-07
		92	2	0-03
		95	1	0-01
		121	1	0-12
		120	2	0-01
		120	3	0-07
		91	1	0-01
	पालेदाहल्ली	18	1	0-04

1	2	3	4	5
		50	4A	0-13
		33		0-02
		17	5	0-03
		18	3	0-10
		20		0-21
	अरसिनागुन्टे	40	6	0-06
		42	2	0-03
		31		0-04
		86		0-07
		29	4	0-01
		13		0-02
	ओमबद्नागुन्टे	37	2	0-03
		27	1	0-21
		29	6	0-07
	मुष्येनाहल्ली	78		0-15
		76		0-04
	कनकेनाहल्ली	41		0-03
		40		0-27
		19		0-17
		17		0-07
		16		0-01
		15	6	0-03
		12	1A	0-01
		12	4	0-04
		12	7	0-03
	बैरापुरा	7	2	0-04
		7	3	0-06
		7	4	0-02
		7	7	0-12
		7	8	0-03
		7	9	0-01
		7	10	0-06

1	2	3	4	5
		35	1	0-03
		32		0-01
		24		0-01
		30	5	0-01
		70		0-04
		81	1	0-14
		93	3	0-06
		39	1	0-01
		30	1	0-01
		32	1	0-01
		21	1	0-01
	मुत्तासगरा	6		0-07
		7	3	0-15
		21		0-02
		22	1	0-12
		22	3	0-03
	बिसालाहल्ली	38	1	0-05
		41	2	0-12
		34		0-14
	कृष्णपुरा	20		0-04
		26	3	0-06
		3	3	0-04
	बैरापुरा	67	1	0-06
		66		0-13
		73		0-11
		72		0-02
		13		0-01
	मल्लीगुन्डे	40		0-04
		38		0-02
		48	3	0-08
		50	2	0-05

1	2	3	4	5
		7	11	0-12
		15		0-03
		16	1	0-03
		17	1	0-09
		18		0-07
		21	3	0-06
	वड्डराहल्ली	46	2	0-07
		6		0-02
	एन्नेगेरे	27	1	0-09
		26		0-02
		36		0-04
		29		0-01
		23	1	0-02
		46		0-01
		77	4	0-01
		70	1	0-01
नेलमंगला	बैरासंद्रा	170	1	0-08
		170	2	0-11
		160	3	0-03
		149		0-11
		136		0-02
		204	4	0-02
		206	3	0-04
		208		0-01
		76		0-06
		154	3	0-01
		151		0-03
		81		0-02
	हाजीपाल्या	23	1	0-06
	येलचगेरे	6		0-02
		1	19	0-04
		31	3	0-01
		31	4	0-08

1	2	3	4	5
		32	1	0-04
		32	2	0-04
		32	3	0-03
		32	4	0-02
		47	1	0-02
		90	1	0-10
		90	3	0-02
		90	7	0-04
		90	4	0-01
		90	6	0-02
		90	5	0-01
		70		0-08
		12		0-02
	गंडारागोलीपुरा	34	2B	0-04
		34	2A	0-08
	ब्याडराहल्ली	44	1	0-04
		44	2	0-01
		44	3	0-08
		48	2	0-05
		25	3	0-02
	विश्वेश्वरापुरा	40	2	0-02
	बसवनाहल्ली	94		0-16
		92		0-27
		93		0-09
		3		0-11
		2	1	0-03
		88	1	0-01
		7	1A	0-02
	कूलीपुरा	70	2	0-09
	कृष्णराजापुरा	1	3	0-11

1	2	3	4	5
होसकोटे	होसकोटे दोड्ड	442	1	0-03
	अम्मनिकेरे	437	3B	0-02
		434/P		0-05
	भक्तरहल्ली	105		0-01
	मन्नासंद्रा	108		0-02
		118P		0-02
		15	3	0-05
		13		0-01
		125		0-01
		27		0-01
	नडुवती	124		0-05
		122	1	0-04
		118(P)		0-07
		101		0-18
		178		0-03
		125		0-01
	अप्पाजीपुरा	36	1	0-09
		4	4	0-05
		11		0-03
	काचाराकानाहल्ली	45	2	0-02
		47		0-06
		54	2	0-01
		62	2	0-02
		61	2	0-02
	कनेकल्लु	68		0-35
		150		0-01
		148		0-02
		146		0-01
		66	2	0-01
		68		0-35

## अनुसूची

राज्य : कर्नाटक

जिला : बेंगलूर नगर

तालुक का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई हो)	क्षेत्रफल एकड़-गुन्डा
1	2	3	4	5
बेंगलूर उत्तर	सैदामियापाल्या	5	1A	0-17
		5	1B	0-08
	बेट्टनागेरे	147		0-03
		148	2	0-06
		10	1	0-08
		63	1	0-07
		69	3	0-05
		54		0-01
	हुसकूर	159		1-05
		141	4	0-07
		147	2	0-01
		143	4	0-02
		142	2	0-01
	होननसंदरा	21	1A	0-35
		21	1B	0-06
		21	2	0-04
		11	1	0-08
		11	3	0-04
		28		1-06
		24	1B	0-10
		24	2	0-08
		24	3	0-08
		24	4	0-09
		18	1	0-11
		18	2	0-01
		8		0-02
	मत्तहल्ली	43		0-07
		54	2	0-01
		112	1	0-01

1	2	3	4	5
		112	3	0-06
		112	2	0-04
		112	4	0-08
		113		0-05
		116		0-01
	नरसीपुरा	76		0-10
		74		0-06
		94	2	0-01
		94	3	0-02
		6	2	0-01
		16		0-03
	तोरेनागसंद्रा	30	1	0-11
		31		0-03
		24		0-18
		16	1	0-19
	कोडगी तिरुमलापुरा	57	1	0-05
		57	2	0-03
	हुरलीचिक्कनाहल्ली	71		0-09
		25		0-03
		67		0-03
	कुंबाराहल्ली	6	2	0-07
	केंपापुरा	29		0-22
		42		0-14
		44		1-02
		45		0-24
	केसागट्टापुरा	54		0-10
		58		0-07
		52		0-33
	कालातम्मानाहल्ली	112		0-06
		113	1	0-12
		1	1	0-05
		126	1	0-01
		111		0-02
		44		0-01
	बगालकेरे	47	1	0-01
		43	1	0-02

1	2	3	4	5
	मेडीअग्रहारा	52		0-03
		19		0-05
		53	4	0-02
		55	1	0-01
		4	3	0-01
	वडेराहल्ली	45		0-01
		46		0-02
	दोड्डाबेट्टाहल्ली	19		0-10
		51	7	0-05
		13	1	0-01
	तिंडलू प्लांटेशन	1		0-33
	तिंडलू	16		1-08
	अल्लासंद्रा	82		0-02
	जक्कूर	98	1	0-02
		91	4	0-02
		76		0-01
		78		0-04
	जक्कूर प्लांटेशन	4		0-13
	श्रीरामपुरा	13		0-06
		32		0-08
		16		0-01
		15	5	0-02
		14	1	0-03
बेंगलूर दक्षिण	राचेनाहल्ली	113	2	0-04
		97		0-04
		112		0-01
	थनीसंद्रा	106		0-01
		104	1A	0-01
		104	3	0-05
		103		0-18
		108		0-06
		107		0-04
		93		0-06
		110		0-01
		109		0-02
	कोत्तानूर नारायणपुरा	12	9	0-03

1	2	3	4	5
	कोत्तानूर	25		0-12
		28	7	0-05
	बैराती	123		0-07
		6	18	0-01
	कयलासानाहल्ली	16		0-09
		11		0-02
		18		0-02
		17		0-01
	बिलेशिवाले	15		0-19
		7	3	0-03
		9		0-19
		29		0-20
		13		0-03
		43		0-01
		32	8	0-02
	वडेराहल्ली	5	1	0-07
		13	1	0-07
		4	3	0-01
	रामपुरा	118		0-04
		63	1	0-04
		65		0-02
		93		0-17
		85		0-02
		59		0-01
		42	3	0-03
		81		0-01
	अदूर	54	1	0-08
		39	5	0-05
		39	6	0-03
	हूविनाने	21	5	0-05
		6		0-03
		5	2	0-17
		4	2	0-06
		24	2	0-01
		14		0-02
		4	1	0-01
	हेरंडाहल्ली	128	4	0-04

1	2	3	4	5
		128	10	0-01
		102		0-01
		116		0-01
		132		0-14
		130	1	0-06
		130	2	0-06
		130	6	0-02
		110		0-06
		108		0-03
		88		0-05
		63	1B	0-24
		93	2	0-02
	आवालाहल्ली	47		0-02
		16		0-02
		3	2	0-12
	ग्रामठाना			0-17
		45	1	0-01
		50	2	0-01
		44	2	0-01
	बिदरे अग्रहारा	53		0-24
		51		0-19
		62	3	0-01
	दोड्डबनाहल्ली	3		0-08
		7	2	0-01
		12	2	0-02
	कन्नामंगला	157	3	0-09
		141	2	0-02
		142	2	0-01
		89	1	0-01
		85	3	0-01
	चिक्काबनाहल्ली	5		0-01
		6		0-01
		7		0-01

(फाइल सं० ओर-- 3101 /4/98 ओआर II-भाग)

जे के मायाल, अ र सथिव

New Delhi, the 23rd June, 1999

### Notification

S.O. 1899.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum products from Mangalore to Bangalore in the State of Karnataka ,a Pipeline should be laid by The Hindustan Petroleum Corporation Limited;

And whereas ,it appears, to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein for the laying of the pipeline under the land to the Competent Authority, Mangalore-Bangalore Pipeline Project, Hindustan Petroleum Corporation Limited, No.332, Ground Floor,Darus Salam Building ,Queens Road, Bangalore – 560 052, Karnataka.

SCHEDULESTATE : KARNATAKADISTRICT : TUMKUR

Name of Taluk	Name of Village	Survey No.	Part/Hissa No. (if any)	Extent Acre - Guntas
1	2	3	4	5
TURUVEKERE	Indumaranahalli	91 129 131 13 7 6 31 47 50 53 60 57		0-14 0-06 0-01 0-03 1 0-02 0-04 4 2 0-03 0-01 0-05 3 0-02 1 0-01 2 0-01
	Dabbeghatta	112 30 31 36 16 296 264 260 300 297 7 49 32 117		0-03 0-03 1 0-08 0-37 0-04 0-05 0-09 0-13 0-01 0-01 0-01 0-02 0-02 0-02
	Gurlamata	162 76 62 67 59		2-01 0-02 0-01 1 0-02 1 0-01
	Illenahalli Kaval	1		0-19

1	2	3	4	5
		2		0-09
		3		0-12
		7		0-31
	Buirude Hosahalli	1		0-14
	Karadigere	32		0-07
		66		0-04
		40	9	0-06
	D.N.Purada Kaval	4		0-04
		72		0-05
		110	2	0-02
		127	1	0-01
		75		0-01
		73		0-03
		121		0-08
		113		0-04
		118		0-02
		82		0-24
		83		0-24
	Doddabeeranakere	143		0-01
		132		0-05
		120	2	0-01
		123	1	0-02
		199	1	0-01
		126		0-02
		145		0-07
		160	7	0-02
		161	1	0-04
		161	8	0-02
		130		0-04
		120	2	0-01
		200		0-04
		67	4	0-02
		151		0-16
		70	1	0-07
		70	8	0-01
		70	12	0-06
		70	13	0-04
		70	17	0-02
		70	18	0-01
		25	1	0-04
		25	2	0-02

1	2	3	4	5
		25	3	0-02
		25	4	0-04
		25	5	0-02
		25	6	0-03
		25	7	0-08
		25	8	0-02
		25	9	0-01
		3		0-02
		23	1	0-03
		23	5	0-02
		23	6	0-02
		22		0-05
		21		0-02
		18		0-26
		46		0-06
		47		0-21
		24		0-01
<b>Ramasagara</b>		37	3	0-10
		37	7	0-06
		102		0-07
<b>Byatharahosalli</b>		47		0-11
		41	1	0-02
		41	2	0-02
		41	3	0-02
		41	4B	0-06
		40		0-01
<b>Varahasandra</b>		72		0-28
		113		0-04
		112		0-04
		65		0-01
		127	2A2	0-09
		133	1	0-13
		161	3	0-02
		161	4	0-03
		151		0-05
		154		0-16
		156		0-01
		159		0-01
		112	2	0-04
		113		0-02
		64		0-03

1	2	3	4	5
	Mallenahally	100		0-10
		95		0-04
		85		1-10
		83	1	0-21
		83	2	0-14
		73	1	0-01
	Nerigehalli	9	2	0-01
		91		0-03
		100	2	0-01
	Gavinathapura	4		0-04
		35		0-03
		74		0-01
KUNIGAL	Chetanahalli	28	2	0-01
		28	4	0-01
		15	6	0-01
	Hampapura	31		0-03
		16	2	0-02
	Jaddigere	137		0-03
		138		0-03
		133	2	0-02
	Heddigere	62		0-09
		61		0-04
		68	2	0-07
		78	2	0-03
	Gunnagara	100		0-03
		198		0-36
		182		0-06
		169	8	0-04
		169	7	0-03
		169	6	0-04
		169	4	0-03
		169	3	0-01
		168		0-22
		130		0-05
		131		0-03
		124		0-04
		96	2A2	0-01
		96	3A	0-12
		96	3B	0-16

1	2	3	4	5
		113		1-02
		111		0-07
	Rayagonahalli	118		0-15
		27		0-09
		30	4	0-07
		38		0-05
		49	2A	0-06
		50		0-03
	Vanagere	155		0-20
		144	1	0-01
	Bhaktharahalli	34		0-06
		32		0-01
		35	2	0-02
	Kurudihalli	56		0-06
		62		0-33
		65	5	0-02
		70	1	0-11
		61		0-02
	K.Chatorbhaga	7	3	0-03
		41		0-04
		41	2	0-05
		41	3	0-02
		28	1	0-01
	Bagenahalli	36		0-07
		35		0-05
		31		0-01
		45		0-05
		33		0-01
		39	1	0-02
		40		0-01
	Kempasagara	157	3	0-04
		118		0-02
		119		0-20
		149		0-06
		122	4	0-01
		151		0-01
		143	3	0-01
		166		0-02

**SCHEDULE****STATE : KARNATAKA****DISTRICT: MANDYA**

Name of Taluk	Name of Village	Survey No.	Part/ Hissa No. (if any)	Extent Acre - Guntas
1	2	3	4	5
NAQAMANGALA	Siddapura	26	5	0-01
		26	7A	0-01
		26	7B	0-06
		58		0-03
		27	2	0-02

SCHEDULE

STATE : KARNATAKA

DISTRICT : BANGALORE(RURAL)

Name of Taluk	Name of Village	Survey No.	Part Miles No. (If any)	Extent Acre - Guntas
1	2	3	4	5
MAGADI	Narayanapura	14	4A	0-01
	Hebbalalu	90		0-04
		89		0-02
		88		0-13
		85		0-05
		84		0-04
		40	1A	0-04
		40	3A	0-07
		41		0-02
		42	2	0-03
		45		0-18
		99		0-01
		98	1	0-01
		29		0-02
		30	1A	0-02
	Sankighatta	215	4	0-08
		215	5	0-02
	Muttugadahally	12	4	0-09
		16		0-06
		41	3	0-05
	Hullenahally	89	3	0-01
		89	4	0-07
		92	2	0-03
		95	1	0-01
		121	1	0-12
		120	2	0-01
		120	3	0-07
		91	1	0-01
	Paledahalli	18	1	0-04
		35	1	0-03
		32		0-01
		24		0-01
	Biskur	30	5	0-01
		70		0-04

1	2	3	4	5
		81	1	0-14
		93	3	0-06
		39	1	0-01
		30	1	0-01
		32	1	0-01
		21	1	0-01
	Muttasagara	6		0-07
		7	3	0-15
		21		0-02
		22	1	0-12
		22	3	0-03
	Bisalathalli	38	1	0-05
		41	2	0-12
		34		0-14
	Krishnapura	20		0-04
		26	3	0-06
		3	3	0-04
	Byrapura	67	1	0-06
		66		0-13
		73		0-11
		72		0-02
		13		0-01
	Malligunte	40		0-04
		38		0-02
		48	3	0-08
		50	2	0-05
		50	4A	0-13
		33		0-02
		17	5	0-03
		18	3	0-10
		20		0-21
	Arasinagunte	40	6	0-06
		42	2	0-03
		31		0-04
		86		0-07
		29	4	0-01
		13		0-02
	Ombatanakunte	37	2	0-03
		27	1	0-21

1	2	3	4	5
		29	6	0-07
	Muppenahalli	78		0-15
		76		0-04
	Kanakenahalli	41		0-03
		40		0-27
		19		0-17
		17		0-07
		16		0-01
		15	6	0-03
		12	1A	0-01
		12	4	0-04
		12	7	0-03
	Byrapura	7	2	0-04
		7	3	0-06
		7	4	0-02
		7	7	0-12
		7	8	0-03
		7	9	0-01
		7	10	0-06
		7	11	0-12
		15		0-03
		16	1	0-03
		17	1	0-09
		18		0-07
		21	3	0-06
	Vaddarahalli	46	2	0-07
		8		0-02
	Ennegere	27	1	0-09
		26		0-02
		36		0-04
		29		0-01
		23	1	0-02
		46		0-01
		77	4	0-01
		70	1	0-01
NELAMANGALA	Byrasandra	170	1	0-08
		170	2	0-11
		160	3	0-03
		149		0-11
		136		0-02

1	2	3	4	5
		204	4	0-02
		206	3	0-04
		208		0-01
		76		0-06
		154	3	0-01
		151		0-03
		81		0-02
	Hajipalya	23	1	0-06
	Yelachagere	6		0-02
		1	19	0-04
		31	3	0-01
		31	4	0-08
		32	1	0-04
		32	2	0-04
		32	3	0-03
		32	4	0-02
		47	1	0-02
		90	1	0-10
		90	3	0-02
		90	7	0-04
		90	4	0-01
		90	6	0-02
		90	5	0-01
		70		0-08
		12		0-02
	Gandaragolipura	34	2B	0-04
		34	2A	0-08
	Byadarahally	44	1	0-04
		44	2	0-01
		44	3	0-08
		48	2	0-05
		25	3	0-02
	Vishweshwarapura	40	2	0-02
	Basavanahalli	94		0-16
		92		0-27
		93		0-09
		3		0-11
		2	1	0-03
		88	1	0-01
		7	1A	0-02

1	2	3	4	5
HOSKOTE	Koolipura	70	2	0-09
	Krishnarajapura	1	3	0-11
	Hoskote Dodda	442	1	0-03
	Amanikere	437 434/P	3B	0-02 0-05
	Bhaktharahalli	105		0-01
	Mallasandra	108 118P 15 13 125 27	3	0-02 0-02 0-05 0-01 0-01 0-01
	Naduvathi	124 122 118(P) 101 178 125	1	0-05 0-04 0-07 0-18 0-03 0-01
	Appajipura	36 4 11	1	0-09 0-05 0-03
	Kacharakanahalli	45 47 54 62 61	2	0-02 0-06 0-01 0-02 0-02
	Konekal	68 150 148 146 66 68	2	0-35 0-01 0-02 0-01 0-01 0-35

SCHEDULESTATE: KARNATAKADISTRICT: BANGALORE(URBAN)

Name of Taluk	Name of Village	Survey No.	Part/ Hisse No. (if any)	Extent Acre - Guntas
1	2	3	4	5
BANGALORE NORTH	Saidamiyapalya	5	1A	0-17
		5	1B	0-08
	Bettanagere	147		0-03
		148	2	0-06
		10	1	0-08
		63	1	0-07
		69	3	0-05
		54		0-01
	Huskur	159		1-05
		141	4	0-07
		147	2	0-01
		143	4	0-02
		142	2	0-01
	Honnasandra	21	1A	0-35
		21	1B	0-06
		21	2	0-04
		11	1	0-08
		11	3	0-04
		28		1-06
		24	1B	0-10
		24	2	0-08
		24	3	0-08
		24	4	0-09
		18	1	0-11
		18	2	0-01
		8		0-02
	Mathahalli	43		0-07
		54	2	0-01
		112	1	0-01
		112	3	0-06
		112	2	0-04
		112	4	0-08
		113		0-05
		116		0-01
	Narasipura	76		0-10
		74		0-06
		94	2	0-01
		94	3	0-02

1	2	3	4	5
		6	2	0-01
		16		0-03
	Torenagasandra	30	1	0-11
		31		0-03
		24		0-18
		16	1	0-19
	Kodagi Thirumalapura	57	1	0-05
		57	2	0-03
	Hurlchikkeanahalli	71		0-09
		25		0-03
		67		0-03
	Kumbarahalli	6	2	0-07
	Kempapura	29		0-22
		42		0-14
		44		1-02
		45		0-24
	Kasagattapura	54		0-10
		58		0-07
		52		0-33
	Kalathammanahalli	112		0-06
		113	1	0-12
		1	1	0-05
		126	1	0-01
		111		0-02
		44		0-01
	Byalakere	47	1	0-01
		43	1	0-02
	Medi Agrahara	52		0-03
		19		0-05
		53	4	0-02
		55	1	0-01
		4	3	0-01
	Vaderahalli	45		0-01
		46		0-02
	Doddabettahalli	19		0-10
		51	7	0-05
		13	1	0-01
	Thindlu Plantation	1	.	0-33
	Thindlu	16		1-08
	Allatasandra	82		0-02
	Jakkur	98	1	0-02
		91	4	0-02
		76		0-01
		78		0-04
	Jakkur Plantation	4		0-13
	Srirampura	13		0-06

1	2	3	4	5
		32		0-08
		16		0-01
		15	5	0-02
		14	1	0-03
BANGALORE SOUTH	Rachenahalli	113	2	0-04
		97		0-04
		112		0-01
		Tanisandra	106	0-01
		104	1A	0-01
		104	3	0-05
		103		0-18
		108		0-08
		107		0-04
		93		0-06
		110		0-01
		109		0-02
	Kottanur Narayananpura	12	9	0-03
	Kottanur	25		0-12
		28	7	0-05
	Bhairathi	123		0-07
		6	1B	0-01
	Kyalesanahalli	16		0-09
		11		0-02
		18		0-02
		17		0-01
	Billeshivale	15		0-19
		7	3	0-03
		9		0-19
		29		0-20
		13		0-03
		43		0-01
		32	8	0-02
	Vaderahalli	5	1	0-07
		13	1	0-07
		4	3	0-01
	Rampura	118		0-04
		63	1	0-04
		65		0-02
		93		0-17
		85		0-02
		59		0-01
		42	3	0-03
		81		0-01
	Aduru	54	1	0-08

1	2	3	4	5
		39	5	0-05
		39	6	0-03
	Hoovinaane	21	5	0-05
		6		0-08
		5	2	0-17
		4	2	0-06
		24	2	0-01
		14		0-02
		4	1	0-01
	Herandahalli	128	4	0-04
		128	10	0-01
		102		0-01
		116		0-01
		132		0-14
		130	1	0-06
		130	2	0-06
		130	6	0-02
		110		0-06
		108		0-03
		88		0-05
		63	1B	0-24
	Avalahalli	93	2	0-02
		47		0-02
		16		0-02
		3	2	0-12
	Gramatana			0-17
		45	1	0-01
		50	2	0-01
	Bidare Agrahara	44	2	0-01
		53		0-24
		51		0-19
	Doddabanhalli	62	3	0-01
		3		0-08
		7	2	0-01
	Kannamangla	12	2	0-02
		157	3	0-09
		141	2	0-02
		142	2	0-01
		89	1	0-01
	Chikkabanhally	85	3	0-01
		5		0-01
		6		0-01
		7		0-01

(File No.R-31015/4 /98-ORII part)

J.K.MAYALL, Under Secy.

गई दिल्ली, 23 जून, 1999

का. आ. 1900.—केन्द्रीय सरकार, ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में प्रयोक्ता के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त-अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या स.आं. 1551 तारीख 8 अगस्त, 1998 के अनुसार हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, द्वारा कर्नाटक राज्य में मंगलूर से बेंगलूर, तक पेट्रोलियम उत्पादों के परिवहन हेतु पाइपलाइन बिछाने प्रयोजनार्थ उक्त अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में प्रयोक्ता के अधिकारों का अर्जन के अपने आशय की घोषणा की है।

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 1.9.1998 को उपलब्ध करा दी गयी थी।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सकाम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और यह कि केन्द्रीय सरकार ने उस रिपोर्ट पर विचार करने के पश्चात् यह निर्णय लिया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में प्रयोक्ता के अधिकार का अर्जन किया जाये।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए प्रयोक्ता का अधिकार अर्जित करने की घोषणा करती है।

यह और कि, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में प्रयोक्ता का अधिकार, केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

## अनुसूची

राज्य : कर्नाटक

जिला : तुमकूर

तालुक का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई है)	क्षेत्रफल एकड़ गुन्डा
1	2	3	4	5
तुम्बेकेरे	इंद्रमारानाहल्ली	129		0-01
		116		0-02
		100		0-26
		12	1	0-04
		13		0-13
		8	1	0-02
		8	2	0-04
		8	3	0-04
		8	4	0-04
		8	12	0-07
		8	13	0-07
		7	1	0-01
		7	2B	0-07
		6	1	0-02
		5	2	0-16
		31	1	0-05
		31	2	0-06
		31	3	0-04
		31	4	0-01
		29		0-02
		25	2	0-01
		25	3	0-15
		26		0-12
		45	1A	0-06
		45	1B	0-07
		45	2	0-12
		46	1	0-02

1	2	3	4	5
		46	2	0-01
		47	3	0-03
		50		0-24
		51	2	0-06
		61	1A	0-02
		61	1B	0-02
		61	2	0-04
		60	1	0-03
		52	2A	0-03
		53	1	0-03
		53	2A	0-03
		53	3	0-05
		57	1	0-04
		55		0-09
	डब्बेगट्टा	117		1-27
		116		1-15
		113		0-23
		114		0-05
		112		0-18
		110	1	0-07
		110	2	0-07
		110	3	0-01
		109	1	0-06
		109	2	0-03
		109	3	0-03
		30		0-09
		31	1	0-17
		31	2	0-02
		32	1	0-17
		32	2	0-06
		33	2	0-01
		33	3	0-05
		33	4B	0-06
		49	1	0-18
		48		0-13
		37	1	0-09
		5		0-11
		6		0-19

1	2	3	4	5
		7		0-26
		316		0-15
		317		0-09
		16		0-02
		309		0-10
		308		0-09
		307		0-09
		306		0-09
		296		0-13
		297		0-16
		298		0-13
		299		0-13
		300		0-13
		301		0-12
		302		0-07
	264	2		0-09
	265	1		0-08
	260			0-14
	258			0-09
GURULAMATA		63	4A	0-01
		62		0-09
		65	1	0-01
		65	2	0-10
		65	3	0-08
		59	1	0-02
		59	2	0-04
		67	1	0-02
		67	2	0-03
		67	3	0-02
		67	4	0-03
		67	5	0-05
		68	1	0-02
		68	2	0-01
		69	1	0-02
		69	3	0-08
		69	5	0-05
		79	1	0-02
		78	1	0-02

1	2	3	4	5
		78	2	0-17
		77		0-09
		76		0-15
		80		0-17
		17	2	0-05
		50		2-03
	इल्लेनहल्ली कावल	1		0-01
		2		0-04
		3		0-11
		4		0-13
		7		4-22
	माविनकेरे	136		2-03
	करडागेरे	47		0-31
		46	1	0-35
		40	5	0-03
		40	6	0-03
		40	7	0-09
		40	9	0-18
		40	2	0-04
		40	4	0-02
		40	1	0-10
		40	10	0-04
		40	11	0-19
		41	1	0-38
		32		0-32
		53		0-12
		112		0-28
		55		0-01
		111		0-28
		66		2-24
		67	4A	0-11
		67	4B	0-06
	दनमायकनापुरदा कावल	6		0-11
		3		0-22

1	2	3	4	5
		4		0-22
		5		0-01
		72		0-14
		73		0-09
		74		1-26
		75		0-19
		76		0-29
		127	1	0-26
		127	2	0-05
		122		0-17
		121	1	0-04
		108	2	0-14
		109		0-24
		110	1	0-01
		110	2	0-27
		113		0-32
	दोइङबीरनाकेरे	146		0-19
		145		0-14
		143		0-07
		152	1	0-09
		140	1	0-02
		140	3	0-11
		140	4	0-02
		160	7	0-05
		161	9	0-05
		161	10	0-01
		161	12	0-03
		161	13	0-05
		134	1	0-03
		134	4	0-03
		133		0-13
		132		1-03
		130		0-28
		126		0-23
		127		0-05
		120	2	0-01
		125	1	0-01
		125	2	0-10

1	2	3	4	5
		125	3	0-02
		123	1	0-06
		123	3	0-14
		123	4	0-13
		123	5	0-05
		75	1	0-08
		75	3	0-03
		75	4	0-05
		75	5	0-04
		75	6	0-08
		71		0-10
		199	1	0-03
		199	2	0-04
		200	2	0-03
		200	3	0-03
		200	4	0-02
		68	1	0-03
		68	2	0-03
		68	4	0-03
		68	5	0-04
		68	15	0-02
		68	18	0-02
		67		0-13
	रामासागर	37	4	0-24
		37	8	0-08
	ब्यातरा होसाहल्ली	47	2	0-09
		48		0-05
		40		0-05
		39		0-02
		38		0-08
		51	4	0-19
		56		0-12
		55	1	0-04
		55	2	0-09
		58		0-05
		59		0-09
		60	7	0-03

1	2	3	4	5
		60	8	0-01
		60	12	0-13
		66		1-05
	वराहासंद्रा	64		0-31
		72	1	0-18
		72	2	0-10
		72	3	0-18
		72	4	0-04
		73	3	0-13
		113		0-13
		112	1	0-20
		112	2	0-04
		124		0-02
		125	1	0-12
		127	2A1	0-02
		129	2A	0-09
		129	3	0-04
		129	4	0-11
		129	5	0-05
		129	8	0-03
		130		0-01
		134		0-06
		132		0-04
		133	1	0-18
		133	2A	0-11
		133	2B	0-02
		161	1	0-01
		161	5	0-02
		161	6	0-07
		161	7	0-07
		159		0-04
		157		0-13
		156		0-02
		151		0-31
	मल्लेनाहल्ली	100	1	0-30
		95		0-31
		92		0-13

1	2	3	4	5
		91		0-04
		70	10	0-01
		70	11	0-01
		71	1C	0-01
		71	2	0-01
		71	3	0-01
		71	4	0-01
		71	5	0-01
		71	6	0-01
		71	7	0-01
		72	1A	0-04
		72	1B	0-02
		72	2	0-04
		72	3	0-07
		72	4	0-07
		73	1	0-03
		73	2	0-04
		73	3A	0-04
		73	3B	0-02
		73	5	0-02
		73	7	0-02
		74	1	0-03
		74	2	0-03
		74	3	0-04
		81	2	0-16
		80		1-22
	नेरिंगे हल्ली	84	1	0-15
		86	2	0-28
		92	1	0-10
		89	1	0-12
		89	2	0-03
		89	3	0-03
		91	1	0-05
		90	6	0-03
		90	8	0-10
		90	9	0-10
		90	10	0-10
		8		0-30
		99		0-14

1	2	3	4	5
		100	2	0-18
		9	2	0-13
		9	3	0-01
		9	4	0-25
		9	5	0-06
		16	2	0-01
		17		0-28
		18		1-25
		19		0-18
	गविनाथपुरा	24	2	0-06
		24	3	0-20
		3	2	0-16
		75	3A	0-04
		75	4	0-06
		75	5B	0-01
		74		0-20
		25		0-08
		73		0-29
		31	2	0-18
		30	1	0-11
		30	2	0-11
		33	1	0-30
		33	2	0-01
		37		0-24
		36		0-01
		35		0-38
कुणिगल	सिंधाट्टाहल्ली	62		1-38
		63		3-22
	मदुरै कावल	1		12-23
	चेतनाहल्ली	14	1	0-25
		14	3	0-06
		15	6	0-16
		15	7	0-03
		27		0-09
		28	3	0-06
		29	1A	0-36
		29	2	0-06
		35	4	0-02

1	2	3	4	5
		35	2	0-01
		50		0-09
	हंपापुरा	17		0-06
		16	2	0-05
		16	3	0-10
		16	4	0-10
		16	5	0-08
		16	6	0-11
		16	7	0-12
		33		0-19
		27		0-06
		32		0-09
		31		0-21
	जड़ीगेरे	189	1	0-02
		189	2A	0-06
		189	2B	0-11
		189	2C	0-02
		188	2	0-01
		188	3	0-11
		188	4	0-09
		188	5	0-08
		188	8	0-09
		192	3B	0-07
		192	4	0-12
		192	5	0-11
		192	7	0-04
		186	1	0-01
		194	2A	0-06
		194	3	0-18
		195	3	0-02
		133	1	0-11
		133	2	0-10
		133	3	0-01
		132		0-02
		134	1	0-14
		134	2	0-14
		130	1A	0-05

1	2	3	4	5
		130	1B	0-06
		130	1C	0-06
		130	2	0-09
		137		0-11
		138		0-09
	हेडिगरे	79		0-14
		78	2	0-25
		78	3	0-05
		67	1	0-15
		66	2	0-20
		62		0-02
		86	3	0-01
		86	2	0-01
		86	1	0-01
		87	1A	0-03
		87	1B	0-01
		87	2	0-06
		88	2	0-01
		88	3	0-03
		61		0-16
		89	1	0-06
		89	2	0-07
		90		0-06
		91	1	0-03
		91	2	0-03
		91	3	0-06
		97	5	0-01
		96	1	0-33
		96	2	0-13
	गुन्नागरा	197	3	0-09
		197	4	0-08
		197	5	0-08
		197	6	0-08
		197	8	0-03
		197	9	0-14
		190		1-14
		201		1-12

1	2	3	4	5
		202		0-01
		182		0-01
		183	2	0-07
		183	4	0-11
		181	1A	0-13
		181	1B	0-01
		181	2	0-06
		180	3	0-11
		180	4	0-08
		170	1	0-09
		170	2	0-09
		172	8	0-01
		172	7	0-03
		172	4	0-06
		172	1	0-07
		131		0-10
		125		0-02
		96	2A3	0-03
		95	2B	0-06
		94	1	0-08
		94	2	0-18
		93		0-01
		99	1	0-36
		99	2	0-05
		100		0-35
		112		1-06
	रगास्वामी	2		0-30
	बेटूटादा कावल			
	राथगोनाहल्ली	24P		1-24
		118		0-13
		28		0-12
		27	2	0-11
		29	1	0-24
		97	2	0-09
		30	3	0-10
		30	4	0-14
		30	5	0-12

1	2	3	4	5
		30	6	0-02
		30	7	0-06
		37	2	0-14
		38	3	0-13
		47	4	0-36
		47	5	0-03
		48	2	0-16
		48	3	0-03
		48	7	0-29
		49	2A	0-09
		50	2	0-11
		51	1	0-31
		51	3	0-31
		52		0-35
	वानागिरी	125	4	0-30
		124	6	0-30
		138	1	0-08
		138	2	0-12
		141		0-09
		144	1	0-07
		144	2	0-04
		145	2	0-07
		145	3	0-03
		146		0-09
		201		1-10
	भक्तराहल्ली	30		1-26
		23	14	0-08
		23	15	0-20
		23	16	0-24
		23	17	0-06
		36		0-07
		35	2	0-13
		35	3	0-09
		35	4	0-14
		34		0-01
	कुरुडीहल्ली	56		0-01
		58		0-12
		62		0-30

1	2	3	4	5
		139		0-05
		64	1	0-04
		64	2A	0-03
		64	2B	0-03
		64	3A	0-03
		64	3B	0-03
		64	4	0-08
		64	5B	0-04
		65	5	0-08
		65	1	0-01
		69		0-10
		70	1	0-10
		70	2	0-02
		91		0-02
		90		0-14
		89		1-04
कुरुऊहल्ली चतुरवांगा		9	1	0-03
		9	2	0-01
		9	3	0-02
		9	6	0-05
		7	1	0-03
		7	2	0-03
		7	3	0-04
		6		0-06
		5	4	0-01
		5	5	0-02
		3	3	0-01
		3	4	0-01
		28	1	0-22
		45	2	0-05
		43	2	0-01
		43	3	0-01
		43	4	0-09
		41	1	0-01
बागेनाहल्ली		45		1-09
		44	1	1-06
		44	2	0-27
		44	3	0-23

1	2	3	4	5
		40		0-02
		39	1	0-09
		39	2	0-03
		38	1	0-03
		38	2	0-03
		36		0-06
		35		0-08
		34	2	0-07
		33		0-06
		32	1	0-04
		32	2	0-03
		31		0-06
		30	1	0-05
		30	2	0-05
		30	3	0-03
		30	4	0-02
		30	5	0-02
		30	6	0-02
		30	7	0-02
		30	8	0-03
		28	1	0-11
		28	2	0-12
		28	3	0-02
		27	1A	0-12
		27	1B	0-06
		27	2A	0-11
		27	2B	0-07
केंपासागर		21		0-17
		22	1	0-10
		22	2	0-07
		25	3	0-07
		25	4	0-17
		26	1	0-22
		26	2	0-10
		11		0-08
		12	2	0-26
		10	2	0-04
		10	3	0-04

1	2	3	4	5
		10	4	0-05
		10	5	0-04
		9	1	0-09
		9	2	0-13
		8		0-18
		167		0-19
		166		0-23
		165	1	0-06
		165	2	0-06
		165	3	0-06
		165	4	0-19
		163	1	1-04
		162	1	0-02
		162	2	0-01
		162	3	0-01
		157	2	0-02
		157	3	0-10
		157	5	0-03
		157	7	0-03
		157	8	0-07
		143	1	0-01
		143	3	0-28
		144		0-15
		148		0-07
		149		0-02
		151		0-02
		130		0-13
		129	1	0-05
		129	2	0-06
		129	3	0-06
		128	1A	0-02
		128	2	0-18
		127	1A	0-07
		127	2A	0-12
		122	4	0-33
		122	5	0-03
		121		0-32
		119	1	0-03
		120	2	0-06

## अनुसूची

राज्य : कर्नाटक

जिला : मणिया

तालुक का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई है)	क्षेत्रफल एकड़-गुन्डा
1	2	3	4	5
नागमंगला	सिद्धपुर	58		2-38
		23	4	0-29
		24	1	0-22
		26	6	0-08
		27	2	0-13
		27	3	0-05
		27	4	0-16
		27	5	0-02
		69		0-24
		34		1-16

## अनुसूची

राज्य: कर्नाटक

जिला : बेंगलूरु ग्रामीण

तालुक का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई है)	क्षेत्रफल एकड़-गुन्डा
1	2	3	4	5
मागडी	नारायणपुरा	14 14 14 14 14 14 14 16 16 16	4A 6D 6C 11 9A 9B 10 1A 3 4	0-07 0-12 0-01 0-06 0-06 0-06 0-07 0-02 0-07 0-01
	हेळ्कालालु	100 100 99 98 98 98 98 98 97 94 94 93 93 90 89 88 87 40 40 42 42 43 44	1 2 1 2 4 5 7 1 2 1 2A 1B 2 3 4	0-12 0-09 0-19 0-03 0-06 0-03 0-03 0-04 0-03 0-04 0-12 0-08 0-07 0-02 0-03 0-02 0-10 0-01 0-05 0-01 0-05 0-04 0-03

1	2	3	4	5
		34		0-17
		26		0-07
		29		0-27
		30	1A	0-22
	सांकीगट्टा	215	5	0-04
		215	6	0-07
	मुत्तागाहल्ली	12	4	0-02
		13	1	0-08
		13	2	0-08
		13	3	0-14
		14		0-13
		16		0-14
		20		0-19
		22		0-08
		23		0-07
		24	1	0-09
		24	2	0-09
		40	2	0-28
		40	4	0-22
		40	6	0-15
		41	2	0-08
		41	3	0-16
		41	4	0-02
	सांकीगट्टा कावल	1	1	0-24
		37		0-17
	हुल्लेनहल्ली	85	3	0-06
		92	3	0-28
		89	3	0-01
		91	1	0-14
		90		0-09
		123	1	0-07
		123	2	0-04
		121	1	0-01
		121	2A	0-07
		121	2B	0-08
		120	4	0-03
		118		0-05
		117		0-01
	पालेदहल्ली	5	1	0-15
		4		0-20
		3	2	0-03

1	2	3	4	5
		1	1	0-06
		1	2A	0-30
		17		0-13
		18	1	0-13
		21		0-10
		36	3	0-03
		36	4	0-04
		35	1	0-09
		35	2	0-01
		34	1	0-07
		34	2	0-04
		32		0-07
		24		1-02
	बिसंगुरु	21	1	0-05
		21	2	0-09
		21	4	0-08
		21	9A	0-09
		22	2	0-07
		28		0-14
		29	4	0-06
		29	5	0-06
		30	6	0-06
		32	1	0-06
		32	4	0-07
		34		0-12
		38	1	0-03
		38	2	0-05
		38	3	0-06
		39	1	0-02
		39	2	0-03
		39	3	0-01
		39	4	0-05
		41	2A	0-03
		41	3A	0-02
		43	1	0-09
		43	4A	0-10
		43	4B2	0-01
		43	5	0-02
		47	1	0-11
		49	2	0-08
		62		0-13
		60	1	0-03

1	2	3	4	5
		60	2	0-03
		60	3	0-04
		60	4	0-04
		60	5	0-05
		63	1	0-05
		63	3A	0-05
		65		0-08
		67		0-08
		69	2	0-12
		70		0-29
		81	1	0-24
		81	2	0-03
		82		0-28
		78	1A	0-14
	मुत्तासागर	5		0-02
		7	3	0-03
		7	5	0-11
		22	3	0-03
		22	4	0-06
		23	1	0-26
	बिसलाहल्ली	60	2	0-18
		62	2	0-14
		38	1	0-20
		41	2	0-01
		34		0-10
	कृष्णपुरा	17	1	0-15
		17	3	0-08
		16	1	0-10
		16	2	0-04
		19		0-18
		20		0-18
		21		0-26
		27	1	0-03
		26	3	0-20
		1	1	0-10
		1	2	0-08
		3	2	0-08
		3	3	0-18
		4	1	0-10
		4	2	0-08
	बैरापुरा	58		0-23

1	2	3	4	5
		67	1	0-04
		67	2	0-10
		67	3A	0-04
		67	3B	0-03
		67	4D	0-01
		67	4E	0-02
		67	4F	0-02
		66		0-23
		65		0-17
		74		0-17
		73		0-05
		71	3	0-23
		7	1	0-20
		7	2	0-18
		7	3	0-04
		7	4	0-26
	मर्लीगुन्टे	43		1-32
		40		0-06
		39		0-38
		48	2	0-12
		48	3	0-10
		50	1	0-13
		50	2	0-09
		52	1	0-09
		52	4	0-01
		52	5	0-01
		52	9	0-02
		53		0-21
		17	5	0-18
		18	3	0-24
		16		0-14
		20		1-30
	केंचनापुरा	5		0-12
	अरसिनागुन्टे	40	6	0-04
		40	7	0-08
		40	8	0-09
		40	9	0-09
		40	11	0-15
		40	12	0-13
		41	2	0-15
		41	3	0-05

1	2	3	4	5
		42	1	0-15
		42	2	0-01
		43	4	0-17
		43	5	0-12
		33		0-01
		52		0-36
		31		0-26
		30		0-07
		29	4	0-18
		25		0-12
		22		1-05
		15		0-11
		16		0-04
		13		1-01
		9		0-35
	ओमबट्टनागुन्टे	26	2	0-16
		26	3	0-05
		26	4	0-17
		37	2	0-02
		35	1	0-06
		27	1	0-07
		27	2	0-04
		29	2	0-02
		29	5	0-02
		29	6	0-22
		30		1-17
	तट्टेकरे	64		1-20
		65		2-06
		66	3	0-02
		66	4	0-21
		66	5	0-27
		66	6	0-01
		66	8	0-04
		67	1	0-07
		67	2	0-07
		67	4	0-04
		67	5	0-17
		68	2	0-09
	मुप्पेनाहल्ली	78		0-35
		77		1-11
		76		0-33

1	2	3	4	5
		65	1	0-03
		65	2	0-05
		65	3	0-06
		65	4	0-06
		65	6	0-04
		65	7	0-22
		64	1	0-07
		64	2	0-07
		64	3	0-09
		62	10	0-08
		59		1-10
		61		1-00
	कन्केनाहल्ली	41		0-23
		39		0-06
		40	1	1-00
		40	2	0-10
		36	2	0-08
		19		1-05
		21	1A1	0-02
		21	1A2	0-18
		18		1-03
		15	1	0-01
		15	3	0-08
		15	2	0-16
		15	6	0-12
		13		0-15
		12	6	0-03
		12	5	0-04
		17		0-08
	बैरापुरा	11		0-07
		12		0-07
		13		0-10
		14		0-07
		15		0-08
		16	1	0-05
		16	2	0-01
		17	1	0-03
		17	2	0-06
	बड़डाराहल्ली	46	1	0-11
		46	2	0-11
		63	1	0-15

1	2	3	4	5
		63	2	0-17
		63	3	0-03
		65	1	0-22
		66		0-12
		68		0-26
		5		0-22
		6		0-22
		7	1	0-03
	एन्जेरे	21	1	0-06
		21	2	0-06
		21	3	0-11
		23	1	0-18
		23	2	0-03
		24	1	0-14
		24	2	0-12
		27	1	0-04
		27	2	0-24
		28		0-12
		29		0-01
		30		0-13
		14		0-10
		13	1	0-19
		30		0-13
		35		0-06
		34		0-16
		46		0-18
		45	1	0-08
		41		0-06
		77	4	0-06
		77	5	0-07
		77	6	0-10
		77	7	0-08
		68	1	0-06
		68	2	0-06
		69		0-10
		70	1	0-12
		70	3	0-15
		72	1	0-23
		73		1-25
		36		0-05
	कुण्डमेला	21	3	0-06
		22	I Block	0-02

1	2	3	4	5
होसकोटे	होसकोटे दोड्ड	422	1	0-01
	अम्मनकरे	422	2	0-02
		439	2	0-11
		438	3	0-01
		438	4	0-05
		442	1	0-06
		442	2	0-05
		442	7	0-01
		437	1	0-04
		437	2	0-03
		437	3A	0-06
		437	3B	0-02
		435	2B	0-04
		434/P		0-06
भक्तराहल्ली		105		0-02
		106 [P]		0-22
		107 (P)		0-06
		108		0-07
		109	1	0-02
मल्लासंद्रा		105		0-01
		107		0-05
		108		0-05
		109 [P]		0-14
		126	1	0-02
		126	2	0-03
		126	3(P)	0-09
		111	1	0-01
		125 [P]		0-13
		119	1	0-04
		119	2	0-13
		118P		0-05
		12	1	0-24
		12	2	0-05
		16		0-02
		15	1	0-21
		15	2A	0-12
		15	2B	0-04
		15	3	0-04
		27(P)	1P	0-36
नाडुवट्टी		130	1B(P)	0-14
		130	2(P)	0-23

1	2	3	4	5
		125		0-15
		124 [P]		0-13
		121		0-15
		122	1	0-05
		119		0-04
		118 [P]		0-14
		117 [P]		0-20
		90		0-27
		101		1-00
		88 [P]		1-11
		178		0-15
		179		0-18
	अप्पाजीपुरा	36	1	0-17
		36	2	0-02
		37	2	0-01
		37	3	0-06
		37	4	0-07
		34	1	0-01
		34	2	0-22
		2		0-19
		3	2	0-07
		4	1	0-02
		4	4	0-04
		6	1	0-03
		6	2C	0-06
		9		0-01
		10	2	0-08
		10	3	0-21
		11		0-02
	कचाराकानाहल्ली	76	3	0-01
		45	1	0-11
		45	2	0-16
		46		0-24
		47		0-04
		48		0-24
		49	1	0-20
		52		0-16
		53		0-11
		54	2	0-08
		55	1	0-12
		55	2	0-01
		62	4	0-19

1	2	3	4	5
		61	1	0-14
		61	2	0-10
		60		0-21
		24		0-01
	कनेकल्टु	151	1	0-08
		150		0-09
		149		0-10
		147		0-08
		148		0-02
		146		0-12
		163		0-01
		66	1	0-04
		66	2	0-11
		22		1-10
		21	1	0-32
नेलमंगला	दोड्डदासरहल्ली	85P		2-22
	बैरासंद्रा	171	1	0-05
		171	2	0-06
		171	3	0-04
		171	4	0-04
		169	1	0-06
		169	2	0-06
		169	3	0-09
		168		0-14
		166	1	0-09
		166	2	0-13
		160		0-11
		159		0-03
		154	2	0-20
		154	3	0-14
		151		0-30
		150		0-21
		149		0-06
		202	1	0-02
		202	2	0-08
		203		0-08
		204	1	0-04
		204	3	0-06
		204	4	0-01
		206	1	0-05
		206	3	0-02

1	2	3	4	5
		207		0-09
		211		0-29
		114		0-13
		113		0-19
		80		0-39
		81		0-34
		77		0-22
		61		0-01
		62	8	0-12
		62	9	0-05
		62	10	0-04
		62	11	0-05
		62	16	0-01
		62	18	0-01
		62	19	0-01
		62	20	0-01
		62	21	0-01
		62	22	0-01
		60		0-29
		55		0-03
	हाजीपाल्या	22		0-30
		23	1	0-12
		23	2	0-01
		27	1	0-05
		27	2	0-01
	येलचगरे	6		0-21
		5	1	0-17
		5	2	0-08
		5	3	0-07
		4	1	0-04
		12		0-01
		3		0-34
		2		0-24
		21		0-03
		1	2A	0-06
		1	2B	0-05
		1	1	0-04
		46	1	0-10
		46	2	0-02
		46	3	0-02
		46	4	0-03
		47	1	0-07

1	2	3	4	5
		47	2	0-07
		48		0-03
		49	1	0-06
		49	2	0-07
		50	1	0-12
		50	3A	0-03
		50	3B	0-03
		52	2	0-09
		51		0-07
		88	1	0-06
		88	2	0-08
		90	1	0-01
		68	1	0-01
		68	2	0-06
		70		0-32
		71		1-11
	ओष्ठनायकनहल्ली	4		0-34
		5	1	0-12
		5	2	0-17
		6		0-04
	गंडारागोलीपुरा	34	1	0-08
		34	2B	0-04
	ब्याडराहल्ली	43	2	0-04
		43	3B	0-07
		43	3A	0-08
		43	4	0-08
		43	5	0-03
		44	1	0-02
		42	1	1-08
		41	1	0-09
		41	2	0-08
		41	3	0-01
		48	2	0-11
		48	5	0-02
		25	1	0-08
		25	2	0-09
		25	3	0-01
		49	1	0-10
		49	2	0-16
		49	3	0-06
		49	4	0-07

1	2	3	4	5
		51	1	0-01
		7	1	0-20
		7	2	0-16
		7	3A	0-06
		7	3B	0-06
		7	3C	0-06
		3		0-10
		4	1	0-01
		4	2	0-02
		4	3	0-27
		5	1	0-01
	विश्वेश्वरापुरा	32	2	0-08
		40	2	0-13
		41	2	0-32
		41	3	0-07
	बसवनाहल्ली	88	1	0-03
		88	2	0-26
		87	1	0-29
		87	2	0-14
		87	4	0-02
		3		0-14
		7	1A	0-07
		7	1B	0-13
		9		0-15
		10		0-09
		11		0-01
		22	1	0-06
		32	1	0-08
		32	2	0-21
		33		0-13
		34	1	0-20
	कूलीपुरा	69		0-07
		70	1A	0-07
		70	1B	0-06
		70	1C	0-01
		70	2	0-03
		70	3	0-13
		71		0-09
	कृष्णराजापुरा	1	1	0-02
		1	2	0-08
		1	3	0-01

अनुसूची

राज्य : कर्नाटक

जिला: बेंगलूर नगर

तालूक का नाम	ग्राम का नाम	सर्वे सं०	भाग/ हिस्सा सं० (यदि कोई है)	क्षेत्रफल एकड़-गुंटा
1	2	3	4	5
बेंगलूर उत्तर	सैदामियपाल्या	4 4 5 5 5 6	1 2 1A 1B 3 2	0-32 0-10 0-06 0-05 0-01 0-01
	बंट्टनगर	148 148 12 12 11 11 11 11 11 11 10 9 9 6 6 6 6 151 2	1 2 1 2 11 12A 12B 13 15 1 1 2 3 2A 4 1 1	0-18 0-12 0-02 0-06 0-01 0-02 0-17 0-08 0-21 0-02 0-03 0-27 0-07 0-06 0-07 0-05 0-06 0-13

1	2	3	4	5
		2	2	0-07
		44		0-15
		63	2	0-01
		62	5A	0-09
		62	5B	0-06
		62	4	0-10
		62	2	0-05
		62	1	0-17
		69	1	0-08
		69	2	0-12
		69	4	0-24
		56	2	0-19
		55	5	0-13
		55	6	0-07
		54	2	0-11
	रामापाल्या	30		0-26
		31		0-12
		32		0-11
		33	1	0-02
		33	2	0-22
		34		0-23
	हुसकूर	159		0-07
		157		0-06
		147	1C	0-06
		147	2	0-06
		146	1	0-04
		146	2	0-03
		146	3	0-03
		146	4	0-05
		145	2	0-07
		145	3	0-05
		143	1	0-09

1	2	3	4	5
		143	2	0-08
		143	3	0-07
		143	4	0-04
		142	1A	0-24
		142	2	0-04
		142	3	0-24
	होन्नासंद्रा	23	1	0-24
		21	1A	0-03
		13		0-14
		11	2	0-08
		11	3	0-10
		11	4	0-08
	मत्तहल्ली	42		0-26
		43		0-05
		44		0-28
		47	8	0-15
		47	9	0-03
		47	10	0-06
		47	11	0-07
		47	12	0-07
		54	1A	0-11
		54	2	0-08
		55	1	0-02
		56		0-15
		110	1	0-03
		110	2	0-20
		110	3	0-02
		109	3	0-26
		112	3	0-01
		107		0-07
		113		0-01
		115	2	0-06
		115	4	0-01
		115	1	0-12
	नरसीपुरा	75		0-18
		77		0-14

1	2	3	4	5
		94	1	0-14
		94	2	0-15
		93		0-04
		5	3	0-22
		6	1	0-08
		6	2	0-08
		15		0-11
		16		0-15
	तोरेनागसंद्रा :	35	1	0-12
		36		0-15
		30	1	0-05
		30	2	0-07
		29		0-02
		26	1	0-08
		26	2	0-15
		31		0-01
		25	3	0-12
		23		0-01
		22		0-02
		19	5	0-01
		19	7	0-01
		19	12	0-01
		17	1	0-07
		17	2	0-04
		17	7	0-06
		4	2	0-18
	कोडगीतिरुमलापुरा	60	4	0-02
		60	5	0-08
		60	6A	0-12
		60	6B	0-04
		60	7	0-10
		56		0-16
		57	1	0-13
	हुरलीचिक्कनाहल्ली	25	2	0-25
		26		0-11

1	2	3	4	5
		27	4	0-02
		27	6	0-05
		27	7	0-03
		28		0-06
		1	4A	0-07
		1	5	0-05
		1	7	0-07
		128		0-03
		127	1	0-02
		127	2	0-07
		127	3	0-06
		127	4	0-02
		125	1	0-04
		125	4	0-07
		126		0-01
		123	3	0-03
		123	4	0-24
		65		0-08
		66	1A	0-06
		66	1B	0-14
		66	2	0-11
		67		0-22
		68		0-11
		69		1-22
		70		0-25
		71		0-04
कुंबाराहल्ली		7	1	0-06
		7	2	0-07
		7	3	0-13
		6	2	0-19
		5	1	0-11
		5	2	0-11
केंपापुरा		30	1	0-05
		30	2	0-09
केसागट्टापुरा		54		0-26

1	2	3	4	5
		58		0-20
	कालातम्मनाहल्ली			
		110		0-01
		111		0-35
		112		0-03
		113	1	0-03
		130		0-01
		129	1	0-09
		129	2	0-06
		129	3	0-11
		125	1	0-01
		128		0-31
		126	1	0-03
		127	1	0-06
		127	2	0-14
		137	1	0-05
		137	2	0-06
		137	3	0-02
		138	1	0-07
		138	2	0-07
		138	3	0-06
		44		0-09
		1		0-02
	बयलाकेरे			
		63	3	0-09
		62	1	0-08
		62	2	0-04
		62	3	0-04
		62	4	0-08
		62	5	0-16
		62	6	0-05
		47	1	0-01
		48		1-05
		43	1	0-11
		43	2	0-11
		39	2A	0-14
		39	2B	0-22
		40	1	0-14
		40	2	0-07

1	2	3	4	5
	मेडी अग्रहारा	52		0-03
		53	1	0-04
		53	2	0-01
		53	3	0-09
		53	4	0-05
		55	4	0-08
		55	1	0-11
		11		0-06
		4	3	0-04
		4	4	0-08
		5		0-04
		3		0-15
		20		0-01
		19		0-20
		51		0-09
	वाडेराहल्ली	43		0-01
		44		0-08
		45		0-35
		46		0-30
	दोड्डाबेट्टोहल्ली	13	1	1-11
		15	5	0-18
		15	4	0-16
		15	3A	0-06
		15	3B	0-06
		16	1	0-08
		14		0-08
		19		0-32
		22	2	0-15
		22	3	0-14
		22	4	0-03
		20	2	0-06
		29	1	1-00
		39	2B	0-18
		39	2C	0-01
		39	2A	0-03

1	2	3	4	5
		39	3	0-03
		39	6	0-18
		38		0-29
		50	1	0-11
		50	2	0-22
		51	7	0-04
		52	2	0-30
	तिंडलू प्लाटेशन	1		5-00
	तिंडलू	16		0-20
	कोडगीहल्ली प्लाटेशन	1		6-27
	अल्लासंद्रा	87		1-22
		88	2	1-25
		84		0-01
	जक्कूर प्लाटेशन	1		2-35
		4		1-23
	जक्कूर	103	3	0-12
		98	1	0-09
		98	2	0-06
		98	3	0-20
		91	1A	0-03
		91	1B	0-20
		91	2	0-14
		91	3B	0-02
		91	4	0-16
		76	3	0-05
		85	2	0-10
		85	4	0-07
		85	6	0-07
		85	7A	0-06
		85	10	0-11
		78		0-26

1	2	3	4	5
		82		0-36
	श्रीरामपुरा	16 15 15 14 13 4 32 66 31 67 30	2 1 5 1  0-06 0-06 0-31 0-31 0-16 1-04	0-11 0-09 0-07 0-29 1-06 0-06 0-31 0-31
बैंगलूर दक्षिण	राचेनाहल्ली	113 114 114 107 107 108 109 110 111 112 95	2 1 2 1 2  1 0-10 0-10 0-10 0-11 0-13	0-20 0-01 0-01 0-06 0-02 0-09 0-10 0-10 0-10 0-11
	थनीसंद्रा	87 87 87 87 87 106 105 105 104 89 112 94	1 2 3 4A 4B  1 3 1A  1	0-14 0-05 0-05 0-07 0-04 0-08 0-03 0-07 0-02 0-22 0-06 0-02

1	2	3	4	5
		94	2	0-02
		94	3	0-01
		94	4D	0-02
		94	5	0-06
		94	6	0-03
		110		0-01
		109		0-01
		108		0-01
		107		0-01
		93		0-20
	कोत्तानूर	12	9	1-01
	नारायणपुरा	12	10C	0-01
		10	4	0-08
		4	1P	1-06
		4	2	0-09
		4	3	0-13
	कोत्तानूर	25		0-05
		28	1	0-01
		28	2	0-21
		28	3	0-04
		28	7	0-02
		30	1	0-06
		30	2	0-05
		30	4(P)	0-10
		32		0-09
		33	1	0-16
		50	8A	0-12
		50	8B	0-09
	बैराती	6	1B	0-16
		7	1	0-21
		8		0-24
		123		0-04

1	2	3	4	5
	कथालासानाहल्ली	11		1-21
		12(P)		1-13
		16		0-03
		19(P)		0-32
		18		0-30
		17(P)		0-21
	बिलेशिवाले	30	1	0-07
		30	2	0-03
		30	3	0-02
		29		0-03
		31	9	0-04
		31	10	0-07
		32	7	0-01
		32	8	0-04
		32	9	0-06
		32	10	0-01
		34		0-29
		35	1	0-07
		42		0-06
		43		0-03
		44		0-01
		15		0-12
		12	2	0-16
		7	2	0-08
		7	3	0-05
		9		1-34
	वडेराहल्ली	4	1	0-10
		4	2	0-13
		4	3	0-10
		5	1	0-19
		13	1	0-37
	रामपुरा	40	1	0-15
		40	3	0-06
		41	1	0-06
		41	2	0-06

1	2	3	4	5
		41	3	0-12
		42	1	0-10
		42	2	0-09
		42	3	0-20
		118	1	0-18
		120	1	0-10
		70 [P]		0-22
		60	1	0-16
		60	2	0-16
		62		0-01
		59		0-01
		63	1	0-08
		63	2	0-13
		65		0-06
		81		0-19
		82	1	0-12
		82	2	0-09
		82	3	0-09
		85		0-07
	अडूरे	53		0-31
		54	1	0-02
		54	2	0-16
		52		0-18
		33	1	0-24
		34		0-04
		35		0-03
		39	4	0-01
		39	7	0-03
		36		0-04
	हूविनाने	21	1	0-01
		21	2	0-02
		21	3	0-03
		21	4	0-06
		21	5	0-02
		20		0-21
		19		0-04
		23	1	0-06

1	2	3	4	5
		23	2	0-08
		23	3	0-08
		24	1	0-05
		24	2	0-02
		25		0-08
		14		0-09
		5	2	0-02
		4	1	0-22
	बिदराहल्ली	120		0-05
		119		0-25
	हेरंडाहल्ली	121	1	0-10
		122		0-19
		123	2	0-05
		123	3	0-03
		128	3	0-10
		128	4	0-03
		129		0-06
		130	1	0-01
		132		0-33
		133	1	0-01
		133	2	0-02
		133	3	0-02
		116		0-09
		134		0-02
		111P		0-19
		110		0-14
		109		0-01
		108		0-11
		105		0-07
		104	1	0-02
		104	2	0-05
		103	2	0-01
		102	2	0-04
		88		0-08
		89	1	0-16
		89	2	0-13
		93	1C	0-06

1	2	3	4	5
		93	1B	0-05
		93	2	0-13
		66		0-36
		63	2A	0-08
		63	2B	0-21
	आवालाहल्ली	17		0-22
		16		0-02
		18		0-14
		2		0-07
		50	2	0-13
		47	1	0-11
		46	3	0-08
		46	4	0-08
		45	1	0-08
		44	2	0-07
		43		0-16
		42	1	0-38
		41	1	0-04
		41	2	0-04
	बिदरे अग्रहारा	68	2	0-12
		69	2	0-11
		70	1	0-18
		70	2	0-06
		63		0-06
		62	3	0-05
		56		0-17
		55	1	0-01
		55	2	0-11
		55	3	0-02
		54	1	0-03
		54	2	0-03
		54	3	0-03
		54	4	0-04
	दोइङ्बनाहल्ली	3		0-13
		120		0-08

1	2	3	4	5
		115		0-12
		7	2	0-12
		12	1	0-24
		12	2	0-03
		11	1	0-20
	कन्नामंगला	164		0-12
		199		0-14
		197	1	0-23
		197	2	0-22
		197	3	0-02
		160	1	0-02
		160	2	0-23
		157	1	0-07
		157	2	0-15
		158		0-09
		141	2	0-36
		142	1	0-33
		142	2(P)	0-17
		89	1	0-13
		88	1B	0-09
		88	2	0-10
		87	1P	1-03
		86		0-03
		85	1	0-02
		85	2	0-11
		85	3	0-10
	चिक्काबनाहल्ली	4		0-01
		5		0-19
		6		0-14
		7		0-20
		8		0-16
		10		0-20

(फांस० आर-31015/4/98 ओआर.II )

जे. के. मायात, अवर सचिव

New Delhi, the 23<sup>rd</sup> June, 1999

S.O. 1900.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas Number S.O.1551 dated ,the 8<sup>th</sup> August,1998 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum products from Mangalore to Bangalore in the State of Karnataka, by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 1-9-1998 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government;

And,further, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification :

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired, for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section , the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULESTATE : KARNATAKADISTRICT: TUMKUR

NAME OF TALUK	NAME OF VILLAGE	SURVEY NO.	PART/ HISSA NO. (If any)	EXTENT Acres - Guntas
1	2	3	4	5
TURUVEKERE	Indumaranahalli	129		0-01
		116		0-02
		100		0-26
		12	1	0-04
		13		0-13
		8	1	0-02
		8	2	0-04
		8	3	0-04
		8	4	0-04
		8	12	0-07
		8	13	0-07
		7	1	0-01
		7	2B	0-07
		6	1	0-02
		5	2	0-16
		31	1	0-05
		31	2	0-06
		31	3	0-04
		31	4	0-01
		29		0-02
		25	2	0-01
		25	3	0-15
		26		0-12
		45	1A	0-06
		45	1B	0-07
		45	2	0-12
		46	1	0-02
		46	2	0-01
		47	3	0-03
		50		0-24
		51	2	0-06
		61	1A	0-02
		61	1B	0-02
		61	2	0-04
		60	1	0-03

1	2	3	4	5
		52	2A	0-03
		53	1	0-03
		53	2A	0-03
		53	3	0-05
		57	1	0-04
		55		0-09
	Dabbeghatta	117		1-27
		116		1-15
		113		0-23
		114		0-05
		112		0-18
		110	1	0-07
		110	2	0-07
		110	3	0-01
		109	1	0-06
		109	2	0-03
		109	3	0-03
		30		0-09
		31	1	0-17
		31	2	0-02
		32	1	0-17
		32	2	0-06
		33	2	0-01
		33	3	0-05
		33	4B	0-06
		49	1	0-18
		48		0-13
		37	1	0-09
		5		0-11
		6		0-19
		7		0-26
		318		0-15
		317		0-09
		16		0-02
		309		0-10
		308		0-09
		307		0-09
		306		0-09
		296		0-13
		297		0-16
		298		0-13
		299		0-13
		300		0-13
		301		0-12

1	2	3	4	5
		302		0-07
		264	2	0-09
		265	1	0-08
		260		0-14
		258		0-09
	Gurlamata	63	4A	0-01
		62		0-09
		65	1	0-01
		65	2	0-10
		65	3	0-08
		59	1	0-02
		59	2	0-04
		67	1	0-02
		67	2	0-03
		67	3	0-02
		67	4	0-03
		67	5	0-05
		68	1	0-02
		68	2	0-01
		69	1	0-02
		69	3	0-08
		69	5	0-05
		79	1	0-02
		78	1	0-02
		78	2	0-17
		77		0-09
		76		0-15
		80		0-17
		17	2	0-05
		50		2-03
	Ille nahalli Kaval	1		0-01
		2		0-04
		3		0-11
		4		0-13
		7		4-22
	Mavinakere	136		2-03
	Karadigere	47		0-31
		46	1	0-35
		40	5	0-03
		40	6	0-03
		40	7	0-09

1	2	3	4	5
		40	9	0-18
		40	2	0-04
		40	4	0-02
		40	1	0-10
		40	10	0-04
		40	11	0-19
		41	1	0-38
		32		0-32
		53		0-12
		112		0-28
		55		0-01
		111		0-28
		66		2-24
		67	4A	0-11
		67	4B	0-06
D.N.Purada Kaval		6		0-11
		3		0-22
		4		0-22
		5		0-01
		72		0-14
		73		0-09
		74		1-26
		75		0-19
		76		0-29
		127	1	0-26
		127	2	0-05
		122		0-17
		121	1	0-04
		108	2	0-14
		109		0-24
		110	1	0-01
		110	2	0-27
		113		0-32
Doddabeeranakere		146		0-19
		145		0-14
		143		0-07
		152	1	0-09
		140	1	0-02
		140	3	0-11
		140	4	0-02
		160	7	0-05
		161	9	0-05
		161	10	0-01

1	2	3	4	5
		161	12	0-03
		181	13	0-05
		134	1	0-03
		134	4	0-03
		133		0-13
		132		1-03
		130		0-28
		128		0-23
		127		0-05
		120	2	0-01
		125	1	0-01
		125	2	0-10
		125	3	0-02
		123	1	0-06
		123	3	0-14
		123	4	0-13
		123	5	0-05
		75	1	0-08
		75	3	0-03
		75	4	0-05
		75	5	0-04
		75	6	0-08
		71		0-10
		199	1	0-03
		199	2	0-04
		200	2	0-03
		200	3	0-03
		200	4	0-02
		68	1	0-03
		68	2	0-03
		68	4	0-03
		68	5	0-04
		68	15	0-02
		68	18	0-02
		67		0-13
Ramasagara		37	4	0-24
		37	8	0-08
Byatharahosahalli		47	2	0-09
		48		0-05
		40		0-05
		39		0-02
		38		0-08
		51	4	0-19

1	2	3	4	5
		56		0-12
		55	1	0-04
		55	2	0-09
		58		0-05
		59		0-08
		60	7	0-03
		60	8	0-01
		60	12	0-13
		66		1-05
	Varahasandra	64		0-31
		72	1	0-18
		72	2	0-10
		72	3	0-18
		72	4	0-04
		73	3	0-13
		113		0-13
		112	1	0-20
		112	2	0-04
		124		0-02
		125	1	0-12
		127	2A1	0-02
		129	2A	0-09
		129	3	0-04
		129	4	0-11
		129	5	0-05
		129	8	0-03
		130		0-01
		134		0-06
		132		0-04
		133	1	0-18
		133	2A	0-11
		133	2B	0-02
		161	1	0-01
		161	5	0-02
		161	6	0-07
		161	7	0-07
		159		0-04
		157		0-13
		156		0-02
		151		0-31
	Mallenahally	100	1	0-30
		95		0-31
		92		0-13

1	2	3	4	5
		91		0-04
		70	10	0-01
		70	11	0-01
		71	1C	0-01
		71	2	0-01
		71	3	0-01
		71	4	0-01
		71	5	0-01
		71	6	0-01
		71	7	0-01
		72	1A	0-04
		72	1B	0-02
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		72	3	0-07
		72	4	0-07
		73	1	0-03
		73	2	0-04
		73	3A	0-04
		73	3B	0-02
		73	5	0-02
		73	7	0-02
		74	1	0-03
		74	2	0-03
		74	3	0-04
		81	2	0-16
		80		1-22
Nerigehalli		84	1	0-15
		86	2	0-28
		92	1	0-10
		89	1	0-12
		89	2	0-03
		89	3	0-03
		91	1	0-05
		90	6	0-03
		90	8	0-10
		90	9	0-10
		90	10	0-10
		8		0-30
		99		0-14
		100	2	0-18
		9	2	0-13
		9	3	0-01
		9	4	0-25
		9	5	0-06

1	2	3	4	5
		16	2	0-01
		17		0-28
		18		1-25
		19		0-18
	Gavinathapura	24	2	0-06
		24	3	0-20
		3	2	0-16
		75	3A	0-04
		75	4	0-06
		75	5B	0-01
		74		0-20
		25		0-08
		73		0-29
		31	2	0-18
		30	1	0-11
		30	2	0-11
		33	1	0-30
		33	2	0-01
		37		0-24
		36		0-01
		35		0-38
KUNIGAL	Shingathally	62		1-38
		63		3-22
	Madure Kaval	1		12-23
	Chetanahalli	14	1	0-25
		14	3	0-06
		15	6	0-16
		15	7	0-03
		27		0-09
		28	3	0-06
		29	1A	0-36
		29	2	0-06
		35	4	0-02
		35	2	0-01
		50		0-09
	Hampapura	17		0-06
		16	2	0-05
		16	3	0-10
		16	4	0-10
		16	5	0-08

1	2	3	4	5
		16	6	0-11
		16	7	0-12
		33		0-19
		27		0-06
		32		0-09
		31		0-21
	Jaddigere	189	1	0-02
		189	2A	0-06
		189	2B	0-11
		189	2C	0-02
		188	2	0-01
		188	3	0-11
		188	4	0-09
		188	5	0-08
		188	8	0-09
		192	3B	0-07
		192	4	0-12
		192	5	0-11
		192	7	0-04
		186	1	0-01
		194	2A	0-06
		194	3	0-18
		195	3	0-02
		133	1	0-11
		133	2	0-10
		133	3	0-01
		132		0-02
		134	1	0-14
		134	2	0-14
		130	1A	0-05
		130	1B	0-06
		130	1C	0-06
		130	2	0-09
		137		0-11
		138		0-09
	Hedigere	79		0-14
		78	2	0-25
		78	3	0-05
		67	1	0-15
		66	2	0-20
		62		0-02
		86	3	0-01
		86	2	0-01

1	2	3	4	5
		86	1	0-01
		87	1A	0-03
		87	1B	0-01
		87	2	0-06
		88	2	0-01
		88	3	0-03
		61		0-16
		89	1	0-06
		89	2	0-07
		90		0-06
		91	1	0-03
		91	2	0-03
		91	3	0-06
		97	5	0-01
		98	1	0-33
		98	2	0-13
Gunnagara		197	3	0-09
		197	4	0-08
		197	5	0-08
		197	6	0-08
		197	8	0-03
		197	9	0-14
		190		1-14
		201		1-12
		202		0-01
		182		0-01
		183	2	0-07
		183	4	0-11
		181	1A	0-13
		181	1B	0-01
		181	2	0-06
		180	3	0-11
		180	4	0-08
		170	1	0-09
		170	2	0-09
		172	8	0-01
		172	7	0-03
		172	4	0-06
		172	1	0-07
		131		0-10
		125		0-02
		96	2A3	0-03
		95	2B	0-06
		94	1	0-08

1	2	3	4	5
		94	2	0-18
		93		0-01
		99	1	0-36
		99	2	0-05
		100		0-35
		112		1-06
	Rangaswamy	2		0-30
	Bettada Kaval	24P		1-24
	Rayagonahalli	118		0-13
		28		0-12
		27	2	0-11
		29	1	0-24
		97	2	0-09
		30	3	0-10
		30	4	0-14
		30	5	0-12
		30	6	0-02
		30	7	0-06
		37	2	0-14
		38	3	0-13
		47	4	0-36
		47	5	0-03
		48	2	0-16
		48	3	0-03
		48	7	0-29
		49	2A	0-09
		50	2	0-11
		51	1	0-31
		51	3	0-31
		52		0-35
	Vanagere	125	4	0-30
		124	6	0-30
		138	1	0-08
		138	2	0-12
		141		0-09
		144	1	0-07
		144	2	0-04
		145	2	0-07
		145	3	0-03
		146		0-09
		201		1-10
	Bhaktharahalli	30		1-26

1	2	3	4	5
		23	14	0-08
		23	15	0-20
		23	16	0-24
		23	17	0-06
		36		0-07
		35	2	0-13
		35	3	0-09
		35	4	0-14
		34		0-01
	Kurudihalli	56		0-01
		58		0-12
		62		0-30
		139		0-05
		64	1	0-04
		64	2A	0-03
		64	2B	0-03
		64	3A	0-03
		64	3B	0-03
		64	4	0-08
		64	5B	0-04
		65	5	0-08
		65	1	0-01
		69		0-10
		70	1	0-10
		70	2	0-02
		91		0-02
		90		0-14
		89		1-04
	K.Chatorbhaga	9	1	0-03
		9	2	0-01
		9	3	0-02
		9	6	0-05
		7	1	0-03
		7	2	0-03
		7	3	0-04
		6		0-06
		5	4	0-01
		5	5	0-02
		3	3	0-01
		3	4	0-01
		28	1	0-22
		45	2	0-05
		43	2	0-01

1	2	3	4	5
		43	3	0-01
		43	4	0-09
		41	1	0-01
	Bagenahalli	45		1-09
		44	1	1-06
		44	2	0-27
		44	3	0-23
		40		0-02
		39	1	0-09
		39	2	0-03
		38	1	0-03
		38	2	0-03
		36		0-06
		35		0-08
		34	2	0-07
		33		0-06
		32	1	0-04
		32	2	0-03
		31		0-06
		30	1	0-05
		30	2	0-05
		30	3	0-03
		30	4	0-02
		30	5	0-02
		30	6	0-02
		30	7	0-02
		30	8	0-03
		28	1	0-11
		28	2	0-12
		28	3	0-02
		27	1A	0-12
		27	1B	0-06
		27	2A	0-11
		27	2B	0-07
	Kempasagara	21		0-17
		22	1	0-10
		22	2	0-07
		25	3	0-07
		25	4	0-17
		26	1	0-22
		26	2	0-10
		11		0-08
		12	2	0-26

1	2	3	4	5
		10	2	0-04
		10	3	0-04
		10	4	0-05
		10	5	0-04
		9	1	0-09
		9	2	0-13
		8		0-18
		167		0-19
		166		0-23
		165	1	0-06
		165	2	0-06
		165	3	0-06
		165	4	0-19
		163	1	1-04
		162	1	0-02
		162	2	0-01
		162	3	0-01
		157	2	0-02
		157	3	0-10
		157	5	0-03
		157	7	0-03
		157	8	0-07
		143	1	0-01
		143	3	0-28
		144		0-15
		148		0-07
		149		0-02
		151		0-02
		130		0-13
		129	1	0-05
		129	2	0-06
		129	3	0-06
		128	1A	0-02
		128	2	0-18
		127	1A	0-07
		127	2A	0-12
		122	4	0-33
		122	5	0-03
		121		0-32
		119	1	0-03
		120	2	0-06

**SCHEDULE****STATE : KARNATAKA****DISTRICT: MANDYA**

NAME OF TALUK	NAME OF VILLAGE	SURVEY NO.	PART/ HISSA NO. (if any)	EXTENT Acres - Guntas
1	2	3	4	5
NAGAMANGALA	Siddapura	58		2-38
		23	4	0-29
		24	1	0-22
		26	6	0-08
		27	2	0-13
		27	3	0-05
		27	4	0-16
		27	5	0-02
		69		0-24
		34		1-16

SCHEDULESTATE: KARNATAKADISTRICT: BANGALORE (RURAL)

TALUK NAME	NAME OF VILLAGE	SURVEY NO.	PART/ HISSA NO. (if any)	EXTENT Acres - Guntas
1	2	3	4	5
MAGADI	Narayanapura	14	4A	0-07
		14	6D	0-12
		14	6C	0-01
		14	11	0-06
		14	9A	0-06
		14	9B	0-06
		14	10	0-07
		16	1A	0-02
		16	3	0-07
		16	4	0-01
	Hebbalalu	100	1	0-12
		100	2	0-09
		99		0-19
		98	1	0-03
		98	2	0-06
		98	4	0-03
		98	5	0-03
		98	7	0-04
		97		0-03
		94	1	0-04
		94	2	0-12
		93	1	0-08
		93	2A	0-07
		90		0-02
		89		0-03
		88		0-02
		87		0-10
		40	1B	0-01
		40	2	0-05
		42	3	0-01
		42	4	0-05
		43		0-04
		44		0-03
		34		0-17

1	2	3	4	5
		26		0-07
		29		0-27
		30	1A	0-22
	Sankighatta	215	5	0-04
		215	6	0-07
	Muttugadahally	12	4	0-02
		13	1	0-08
		13	2	0-08
		13	3	0-14
		14		0-13
		16		0-14
		20		0-19
		22		0-08
		23		0-07
		24	1	0-09
		24	2	0-09
		40	2	0-28
		40	4	0-22
		40	6	0-15
		41	2	0-08
		41	3	0-16
		41	4	0-02
	Sankigattakaval	1	1	0-24
		37		0-17
	Hullenahally	85	3	0-06
		92	3	0-28
		89	3	0-01
		91	1	0-14
		90		0-09
		123	1	0-07
		123	2	0-04
		121	1	0-01
		121	2A	0-07
		121	2B	0-08
		120	4	0-03
		118		0-05
		117		0-01
	Paledahalli	5	1	0-15
		4		0-20
		3	2	0-03
		1	1	0-06
		1	2A	0-30
		17		0-13
		18	1	0-13
		21		0-10

1	2	3	4	5
		36	3	0-03
		36	4	0-04
		35	1	0-09
		35	2	0-01
		34	1	0-07
		34	2	0-04
		32		0-07
		24		1-02
	Biskur	21	1	0-05
		21	2	0-09
		21	4	0-08
		21	9A	0-09
		22	2	0-07
		28		0-14
		29	4	0-06
		29	5	0-06
		30	6	0-06
		32	1	0-06
		32	4	0-07
		34		0-12
		38	1	0-03
		38	2	0-05
		38	3	0-06
		39	1	0-02
		39	2	0-03
		39	3	0-01
		39	4	0-05
		41	2A	0-03
		41	3A	0-02
		43	1	0-09
		43	4A	0-10
		43	4B2	0-01
		43	5	0-02
		47	1	0-11
		49	2	0-08
		62		0-13
		60	1	0-03
		60	2	0-03
		60	3	0-04
		60	4	0-04
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Muttasagar		69	2	0-12
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Krishnapura		34		0-10
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	Malligunte	43		1-32
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		16		0-14
		20		1-30
	Kenchanapura	5		0-12
	Arasinagunte	40	6	0-04
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		13		1-01
		9		0-35
	Ombatanakunte	26	2	0-16

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		29	6	0-22
		30		1-17
	Thattekere	64		1-20
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		66	4	0-21
		66	5	0-27
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	Muppenahalli	78		0-35
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	Kanakenahalli	41		0-23
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	Vaddarahalli	46	1	0-11
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	Ennegere	21	1	0-06
		21	2	0-06
		21	3	0-11
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		36		0-05
HOSKOTE	Kuppemela	21	3	0-06
		22	I Block	0-02
	Hosakote Dodda	422	1	0-01
	Amanikere	422	2	0-02
		439	2	0-11
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		438	4	0-05
		442	1	0-06
		442	2	0-05
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Bhaktharahalli		437	1	0-04
		437	2	0-03
		437	3A	0-06
		437	3B	0-02
		435	2B	0-04
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		106 [P]		0-22
		107 (P)		0-06
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Mallasandra		109	1	0-02
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		107		0-05
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Naduvath		125 [P]		0-13
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		118P		0-05
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		18		0-02
		15	1	0-21
		15	2A	0-12
		15	2B	0-04
		15	3	0-04
		27(P)	1P	0-36
		130	1B(P)	0-14
		130	2(P)	0-23
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		124 [P]		0-13
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		122	1	0-05
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Appajipura		118 [P]		0-14
		117 [P]		0-20
		90		0-27
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Kacharakanahalli		10	2	0-08
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		76	3	0-01
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		62	4	0-19
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	Konekalli	151	1	0-08
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		148		0-12
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		22		1-10
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NELAMANGALA	Doddadasarahalli Byrasandra	85P		2-22
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	Hajipalya	22		0-30
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	Yelachagere	6		0-21
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		88	1	0-01
		88	2	0-08
		70		0-32
		71		1-11
	Obanayakanahally	4		0-34
		5	1	0-12
		5	2	0-17
		6		0-04
	Gandaragolipura	34	1	0-08
		34	2B	0-04
	Byadarahally	43	2	0-04
		43	3B	0-07
		43	3A	0-08
		43	4	0-08
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		7	3B	0-08
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		3		0-10
		4	1	0-01
		4	2	0-02
		4	3	0-27
		5	1	0-01
	Vishweshwarapura	32	2	0-08
		40	2	0-13
		41	2	0-32
		41	3	0-07
	Basavanhalli	88	1	0-03
		88	2	0-26
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		87	2	0-14
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		3		0-14
		7	1A	0-07
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		11		0-01
		22	1	0-06
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		33		0-13
		34	1	0-20
	Koolipura	69		0-07
		70	1A	0-07
		70	1B	0-08
		70	1C	0-01
		70	2	0-03
		70	3	0-13
		71		0-09
	Krishnarajapura	1	1	0-02
		1	2	0-08
		1	3	0-01

SCHEDULESTATE : KARNATAKADISTRICT : BANGALORE(URBAN)

NAME OF TALUK	NAME OF VILLAGE	SURVEY NO.	PART/ HISSA NO. (If any)	EXTENT Acres-Guntas
1	2	3	4	5
BANGLORE NORTH	Saldamiyapalya	4	1	0-32
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		5	1A	0-06
		5	1B	0-05
		5	3	0-01
		6	2	0-01
	Bettanagere	148	1	0-18
		148	2	0-12
		12	1	0-02
		12	2	0-06
		11	11	0-01
		11	12A	0-02
		11	12B	0-17
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	Ramapalya	30		0-26
		31		0-12
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	Huskur	159		0-07
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		147	2	0-08
		146	1	0-04
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	Honnasandra	23	1	0-24
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	Mathahalli	42		0-26
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	Narasipura	75		0-18
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		16		0-15
	Torenagasandra	35	1	0-12
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		30	2	0-07
		29		0-02
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	Kodagi Thirumalapura	60	4	0-02

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	Hurlichikkanahalli	25	2	0-25
		26		0-11
		27	4	0-02
		27	6	0-05
		27	7	0-03
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		70		0-25
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	Kumbarahalli	7		0-06
		7	2	0-07
		7	3	0-13
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	Kempapura	30	1	0-05
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	Kasagattapura	54		0-26
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	Kalathammanahalli	110		0-01
		111		0-35
		112		0-03
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	Byalakere	63	3	0-09
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		40	1	0-14
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	Medi Agrahara	52		0-03
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		19		0-20
		51		0-09
	Vaderahalli	43		0-01
		44		0-08
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	Doddabettahalli	13	1	1-11
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		15	3A	0-08
		15	3B	0-06
		16	1	0-08
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		52	2	0-30
	Thindlu Plantation	1		5-00
	Thindlu	16		0-20

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	Kodagihalli Plantation	1		8-27
	Allalasandra	87		1-22
		88	2	1-25
		84		0-01
	Jakkur Plantation	1		2-35
		4		1-23
	Jakkur	103	3	0-12
		98	1	0-09
		98	2	0-06
		98	3	0-20
		91	1A	0-03
		91	1B	0-20
		91	2	0-14
		91	3B	0-02
		91	4	0-16
		76	3	0-05
		85	2	0-10
		85	4	0-07
		85	6	0-07
		85	7A	0-06
		85	10	0-11
		78		0-26
		82		0-36
	Srirampura	16	2	0-11
		15	1	0-09
		15	5	0-07
		14	1	0-29
		13		1-06
		4		0-06
		32		0-06
		66		0-31
		31		0-31
		67		0-16
		30		1-04
BANGALORE SOUTH	Rachenahalli	113	2	0-20
		114	1	0-01
		114	2	0-01
		107	1	0-06
		107	2	0-02
		108		0-09
		109	1	0-10
		110		0-10
		111		0-10
		112		0-11

1	2	3	4	5
	Thanisandra	95		0-13
		87	1	0-14
		87	2	0-05
		87	3	0-05
		87	4A	0-07
		87	4B	0-04
		108		0-08
		105	1	0-03
		105	3	0-07
		104	1A	0-02
		89		0-22
		112		0-08
		94	1	0-02
		94	2	0-02
		94	3	0-01
		94	4D	0-02
		94	5	0-08
		94	6	0-03
		110		0-01
		109		0-01
		108		0-01
		107		0-01
		93		0-20
	Kottanur	12	9	1-01
	Narayanapura	12	10C	0-01
		10	4	0-08
		4	1P	1-06
		4	2	0-09
		4	3	0-13
	Kottanur	25		0-05
		28	1	0-01
		28	2	0-21
		28	3	0-04
		28	7	0-02
		30	1	0-08
		30	2	0-05
		30	4(P)	0-10
		32		0-09
		33	1	0-16
		50	8A	0-12
		50	8B	0-09
	Bhairathi	6	1B	0-16
		7	1	0-21
		8		0-24
		123		0-04

1	2	3	4	5
Kyalasannahalli	11			1-21
	12(P)			1-13
	18			0-03
	19(P)			0-32
	18			0-30
	17(P)			0-21
	Bileshivale	30	1	0-07
		30	2	0-03
		30	3	0-02
		29		0-03
Vaderahalli	31	9		0-04
	31	10		0-07
	32	7		0-01
	32	8		0-04
	32	9		0-06
	32	10		0-01
	34			0-29
	35	1		0-07
	42			0-06
	43			0-03
Rampura	44			0-01
	15			0-12
	12	2		0-16
	7	2		0-08
	7	3		0-05
	9			1-34
	4	1		0-10
	4	2		0-13
	4	3		0-10
	5	1		0-19
70 [P]	13	1		0-37
	40	1		0-15
	40	3		0-06
	41	1		0-06
	41	2		0-06
	41	3		0-12
	42	1		0-10
	42	2		0-09
	42	3		0-20
	118	1		0-18
	120	1		0-10
	60		1	0-22
	60		2	0-16
	62			0-01

1	2	3	4	5
		59		0-01
		63	1	0-08
		63	2	0-13
		65		0-06
		81		0-19
		82	1	0-12
		82	2	0-09
		82	3	0-09
		85		0-07
	Aduru	53		0-31
		54	1	0-02
		54	2	0-16
		52		0-18
		33	1	0-24
		34		0-04
		35		0-03
		39	4	0-01
		39	7	0-03
		36		0-04
	Hoovinaane	21	1	0-01
		21	2	0-02
		21	3	0-03
		21	4	0-06
		21	5	0-02
		20		0-21
		19		0-04
		23	1	0-06
		23	2	0-08
		23	3	0-08
		24	1	0-06
		24	2	0-02
		25		0-08
		14		0-09
		5	2	0-02
		4	1	0-22
	Bidarahalli	120		0-05
		119		0-25
	Herandahalli	121	1	0-10
		122		0-19
		123	2	0-05
		123	3	0-03
		128	3	0-10
		128	4	0-03
		129		0-08
		130	1	0-01

1	2	3	4	5
		132		0-33
		133	1	0-01
		133	2	0-02
		133	3	0-02
		116		0-09
		134		0-02
		111P		0-19
		110		0-14
		109		0-01
		108		0-11
		105		0-07
		104	1	0-02
		104	2	0-05
		103	2	0-01
		102	2	0-04
		88		0-08
		89	1	0-16
		89	2	0-13
		93	1C	0-08
		93	1B	0-05
		93	2	0-13
		68		0-38
		63	2A	0-08
		63	2B	0-21
	Avalahalli	17		0-22
		18		0-02
		18		0-14
		2		0-07
		50	2	0-13
		47	1	0-11
		48	3	0-08
		48	4	0-08
		45	1	0-08
		44	2	0-07
		43		0-16
		42	1	0-38
		41	1	0-04
		41	2	0-04
	Bidare Agrahara	68	2	0-12
		69	2	0-11
		70	1	0-18
		70	2	0-06
		63		0-08
		62	3	0-05
		58		0-17

1	2	3	4	5
	Doddabanahalli	55	1	0-01
		55	2	0-11
		55	3	0-02
		54	1	0-03
		54	2	0-03
		54	3	0-03
		54	4	0-04
		3		0-13
		120		0-08
		115		0-12
		7	2	0-12
		12	1	0-24
		12	2	0-03
		11	1	0-20
	Kannamangla	164		0-12
		199		0-14
		197	1	0-23
		197	2	0-22
		197	3	0-02
		160	1	0-02
		160	2	0-23
		157	1	0-07
		157	2	0-15
		158		0-09
		141	2	0-36
		142	1	0-33
		142	2(P)	0-17
		89	1	0-13
		88	1B	0-09
		88	2	0-10
		87	1P	1-03
		88		0-03
		85	1	0-02
		85	2	0-11
		85	3	0-10
	Chikkabanahalli	4		0-01
		5		0-19
		6		0-14
		7		0-20
		8		0-16
		10		0-20

( File No.R-31015/4/98 OR II )  
J.K.MAYALL,Under Secy.

नई दिल्ली, 23 जून, 1999

का. आ. 1901.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त-अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1512 तारीख 1 अगस्त, 1998 के द्वारा हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, द्वारा कर्नाटक राज्य में मंगलूर से बैंगलूर, तक पेट्रोलियम उत्पादों के परिवहन हेतु पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 1.9.1998 को उपलब्ध करा दी गयी थी।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उस रिपोर्ट पर विचार करने के पश्चात् यह निर्णय लिया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाये।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है।

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगनों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

## अनुसूची

राज्य : कर्नाटक

जिला: दक्षिण कन्नडा

तालुक का नाम:	ग्राम का नाम	सर्वे संख्या	भाग/ हिस्सा सं० (यदि कोई हो)	क्षेत्रफल एकड़ - सेंट
1	2	3	4	5
मंगलूर	टोकूर	5	7	0 - 13
		5	8	0 - 04
		6	2	0 - 23
		6	3	0 - 14
		6	7	0 - 20
		6	8	0 - 54
		7	2	0 - 31
		8	3	0 - 07
		8	8	0 - 31
		12	7	0 - 06
	केंजार	47	4	0 - 04
		50	2	0 - 16
		50	3A1	0 - 11
		50	3B	0 - 05
		50	4A	0 - 13
		50	4B	0 - 34
		50	5	0 - 33
		50	23	0 - 38
		151	2	0 - 19
		151	3	0 - 28
		151	4	0 - 01
		151	6	0 - 20
		152	11	0 - 15
		152	13	0 - 21
		153	3	0 - 16
		153	4	0 - 32
		154	3	0 - 01
		154	4	0 - 22
		154	5	0 - 15
		154	6	0 - 39

1	2	3	4	5
		154	7C	0 - 07
		154	7D	0 - 19
		155	1	0 - 15
		155	2	0 - 12
		155	5	0 - 10
		159	4	0 - 22
		160	2	0 - 89
		163	2	0 - 08
		163	4	0 - 31
		163	6	0 - 27
		163	8	0 - 26
	कन्दावरा	20	1	0 - 56
		20	3	0 - 40
		20	4	0 - 67
		22	3	0 - 46
		22	8	0 - 01
		22	11	0 - 08
		23	3	0 - 02
		23	4	0 - 19
		44	3A	0 - 06
		45	4	0 - 13
		45	8	0 - 19
		45	10	0 - 11
		46	2	0 - 13
		46	5	0 - 37
		46	6	0 - 13
		47	1	0 - 16
		47	2	0 - 33
		47	6	0 - 51
		48	1	0 - 45
		48	5	0 - 23
		50	2A	0 - 41
		50	2B	0 - 35
		50	3	0 - 21
		50	4	0 - 16
		88	5	0 - 02
		105	1A	0 - 20
		105	1B	0 - 03
		109	2	0 - 03
		130		0 - 35

1	2	3	4	5
		131		0 - 93
		132	2	0 - 98
	मुलुक	7	1A1	0 - 16
	बडगा-उलिपाडी	1	11	0 - 12
		1	15	0 - 23
		3	17	1 - 76
		3	20	0 - 33
		21	1	0 - 67
		21	8	0 - 45
		21	18	0 - 16
		26	1	0 - 37
		26	2	0 - 30
		26	5A	0 - 20
		26	5B	0 - 08
		26	6	0 - 17
		27	9	0 - 19
		27	10	0 - 24
		27	11	0 - 06
		27	12	0 - 17
		28	5	0 - 02
		29	2	0 - 11
		29	3	0 - 24
		29	5	0 - 39
		29	6	0 - 13
		30	1	0 - 25
		31	1	0 - 15
		31	4	0 - 14
		31	5	0 - 09
		32	15	0 - 52
		32	16	0 - 21
		51	9C	0 - 46
		52	1	0 - 38
		207	2	0 - 81
		208	1B	0 - 39
		208	2	0 - 60
		208	3	0 - 64
	मोगर	27	4	0 - 19
		27	5	0 - 13
		27	6	0 - 91
		38		0 - 45
		39	1	0 - 50

1	2	3	4	5
		39	2	0 - 46
		40	9	0 - 01
		40	10	0 - 26
		40	11	0 - 13
		41	6	0 - 72
		43	3	1 - 20
		43	7	0 - 21
		51		0 - 29
बंटवाला	करियगला	2	2	0 - 56
		3	2	0 - 32
		3	3	0 - 17
		3	15E	0 - 08
		3	15F	0 - 27
		4	2	0 - 26
		4	3	0 - 49
		5	1A	0 - 29
		5	1B	0 - 25
		6	1	0 - 76
	बड़गा बेल्सुरु	35	12	0 - 99
		41	2	0 - 40
		42	9A	1 - 15
		42	21	0 - 12
		51	1	0 - 68
		51	3	0 - 10
		52	7	0 - 02
		52	8	0 - 01
		53	2	0 - 58
		53	3	0 - 23
		53	4	0 - 05
		53	5	0 - 14
		53	9	0 - 22
		54	2	0 - 01
		56	3	0 - 18
		72	2B	0 - 98
		72	3	0 - 29
		72	10	1 - 47
		72	11	0 - 70
		86	6	0 - 77
		86	10	0 - 20
		86	11	0 - 35
		86	23	0 - 60
		86	24	0 - 13
		101		0 - 20

1	2	3	4	5
		155	1	0 - 16
		155	2	0 - 45
		169		0 - 62
		170	1	0 - 42
		170	2	0 - 01
		216		1 - 12
बेल्टांगडी	बेलाल	4	6	1 - 03
		4	7	0 - 28
		5	1	0 - 35
		5	2	0 - 19
		5	3A	0 - 22
		5	3B	0 - 16
		5	5	0 - 19
		250	2	0 - 82
		256		0 - 30
		257	6A	0 - 15
		257	6B	0 - 04
		257	8A	0 - 35
		257	8B	0 - 05
		257	9A	0 - 15
उजिरे		257	9B	0 - 04
		306	1	0 - 14
		306	2	0 - 11
		312	3	0 - 11
		312	5	0 - 29
		313		0 - 25
		316	2B	0 - 22
		316	3A	0 - 03
		318	11	0 - 26
		324	5	0 - 68
धर्मस्थला		324	9	0 - 22
		1	3	0 - 13
		19	1	0 - 21
		19	2	0 - 40
		21	2B	0 - 06
		21	3	0 - 15
		21	4B	0 - 52
		21	7	0 - 50
		24	2A2	0 - 02
		24	4	0 - 20
		33	1	0 - 17
		36	2	0 - 42
		36	4	0 - 04

1	2	3	4	5
		36	5	0 - 19
		37	3	0 - 32
		37	4	0 - 34
		76	2	0 - 02
		76	5	0 - 02
		76	6	0 - 24
		76	7	0 - 29
		76	8	0 - 91
		76	9	0 - 04
		76	11	0 - 06
		79	2A	0 - 82
		79	3A	0 - 44
		84	1	0 - 23
		84	2A	0 - 47
		84	2B	0 - 03
		155	1	0 - 65
		155	2	0 - 14
		155	3	0 - 01
		162	3A	0 - 06
		162	3B	0 - 06
		182		0 - 52
		267	1A	1 - 05
		267	1C	0 - 22
		306	3A	0 - 43
		306	3B	0 - 37
		306	4	0 - 06
		161	1A	2 - 21
		161	1B	1 - 01
	पुङ्कवेट्टु	233	1	0 - 99
		226		1 - 13
		227		0 - 03
	नेरिया	144		0 - 50
		77	3	0 - 70
		146		60 - 00
		71	4B	0 - 13

## अनुसूची

राज्य : कर्नाटक

जिला : चिकमंगलर

तालुक का नाम	ग्राम का नाम	सर्वे संख्या	भाग/ हिस्सा सं० (यदि कोई हो)	क्षेत्रफल एकड़-गुन्डा
1	2	3	4	5
मूडिगेरे	गुल्ली	199		0 - 05
		200		0 - 05
		214		0 - 05
		236		0 - 03
		246		0 - 37
		248		0 - 15
मुलरहल्ली	मुलरहल्ली	10		0 - 08
		12		0 - 01
		16		0 - 09
		17		0 - 06
ब्यादावल्ली	ब्यादावल्ली	55		1 - 35
		97		0 - 06
		99		0 - 03
		100		0 - 04
		101		0 - 16
		102		0 - 05
		103		0 - 05
		121		0 - 01
		123	1	0 - 15
		123	2	0 - 10
		131		0 - 06
		132	2	0 - 08
		133	1	0 - 11
		133	2	0 - 12

1	2	3	4	5
	हेम्मादी	6		0 - 17
		56		0 - 10
		62		0 - 14
		65		0 - 24
	गौडहस्ती	39		0 - 19
		41		0 - 10
		74		0 - 37
	देवरुंडा	12		0 - 04
		14		0 - 02
		15		0 - 03
		27		0 - 01
		28	1	0 - 11
		28	2	0 - 01
		28	3	0 - 01
		30		0 - 08
		32		0 - 01
		33		0 - 01
		34	1	0 - 02
		38	1	0 - 25
		38	2A	0 - 13
		38	3	0 - 10
		46	1	0 - 07
		46	2	0 - 03
		47		0 - 03
		48		0 - 02
		49		2 - 19
		51		0 - 10
		85		0 - 05
		91		0 - 16
		98	4	0 - 08
		162	1	0 - 13
		162	2	0 - 13
		189	2	0 - 16
		195	1	0 - 04
		196		0 - 18

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		219		0 - 01
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		221		0 - 32
		225		0 - 10
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		226	2	0 - 04
		227		0 - 22
		248		0 - 30
		256		0 - 35
		257		0 - 02
		258	1A	0 - 01
		259		0 - 38
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		90		0 - 08
		249		0 - 36
	हरामक्की	74		0 - 35
		82		0 - 17
		84		0 - 12
		88		0 - 15
		134		0 - 25
		146		0 - 15
	हेरेशिगरा	55		0 - 23
		62		0 - 29
		63		0 - 02
		79		0 - 01
		80	2	0 - 24
		83	1	0 - 06
		84		0 - 16
		85	1	0 - 05
		86	1B	0 - 04
		87		0 - 08
		88		0 - 06
		90		0 - 08
		91		0 - 09
		97		0 - 05
		98	1	0 - 03
		99		0 - 05

अनुसूची

राज्य : कर्नाटक

जिला : हासन

1	2	3	4	5
		139	1	0 - 15
		139	2	0 - 04
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		13		0 - 09
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		14		1 - 11
		25		1 - 12
		79		0 - 16
		78		0 - 07
		75		0 - 23
		74	1	0 - 03
		73		0 - 28
		67		1 - 00
		65		0 - 36
		63		0 - 05
		62		0 - 14
		60	1	0 - 31
		60	2	0 - 08
		47		0 - 17
		55	1A	0 - 04
		55	1B	0 - 10
		55	2	0 - 03
		48		0 - 01
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	लक्कुडा	79		0 - 16
	उदेवरा	208		0 - 04
		207		0 - 25
		204	1	0 - 08
		204	2	0 - 04
		204	3	0 - 13
		202		0 - 11
		203		0 - 01
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		273	1	0 - 17
		273	2	0 - 07
		274		0 - 38
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		91	2	0 - 23
		98		0 - 27

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		23		0 - 09
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		20		0 - 22
		17	1	0 - 03
		17	4	0 - 05
		16		0 - 07
		14		0 - 08
		13		0 - 03
		12		0 - 01
		11	1	0 - 11
		11	2	0 - 12
		54		0 - 29
		378		0 - 16
		378		0 - 20
	बालगोड़	65		0 - 20
	मत्तिगलाली	5		0 - 05
		7		0 - 05
		8	2	0 - 02
		8	3	0 - 06
		8	4	0 - 04
		8	5	0 - 02
		21		0 - 11
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		12	2	0 - 10
		12	4	0 - 07
		12	5	0 - 14
		13		0 - 09
		14		0 - 12
		15		0 - 14
	केसगीली	62		0 - 03
बेलूर	मुरहल्ली	41		1 - 16
		52		0 - 33
		51		0 - 15
		50		0 - 24
		49		0 - 15
		62		0 - 24
		93		0 - 18
		92	2	0 - 01

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		110		0 - 11
		109		0 - 13
	बलादकल्लु	45		0 - 04
		44		0 - 03
		46		0 - 10
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	नददीगोडनहल्ली	24	1	0 - 11
		24	2	0 - 08
		25		0 - 20
		22	1A	0 - 22
		26		0 - 20
		28		0 - 13
		29	2	0 - 37
		34		0 - 04
		33		0 - 22
		35		0 - 02
		36		0 - 20
		2	2	0 - 05
		47		0 - 21
		46		0 - 20
	उत्तोलालू	67		2 - 16
		68		0 - 09
		72		0 - 34
		49	1	0 - 27
		58		0 - 04
		50		1 - 03
		55		0 - 04
		53		0 - 02
		51		0 - 14
	वाटेहल्ली	12		0 - 18
		13		0 - 35
		14		1 - 09
		15		0 - 08
		24		0 - 16
		49		0 - 07
		51		0 - 03
	इरकरावल्ली	40	1	0 - 16
		41	2	0 - 31
		37	1	0 - 16
		36		0 - 21
		62		1 - 04
		51		0 - 19
		50		0 - 01

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	अंकीहल्ली	36		1 - 23
		38	2	0 - 18
		36		0 - 04
		40		0 - 39
	गुम्मनहल्ली	77		0 - 07
		78		0 - 11
		75		0 - 19
		74		0 - 14
		73		0 - 01
		72		0 - 12
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		57		0 - 01
		59		0 - 01
		54		0 - 05
		53		0 - 17
	हैदरावल्ली	20		0 - 12
		21	2	0 - 10
		23	6	0 - 10
		23	7	0 - 08
		19	6	0 - 04
		19	7	0 - 01
		19	9	0 - 02
		19	10	0 - 02
		29	1	0 - 09
		29	2	0 - 03
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		32	2A	0 - 08
		32	2B	0 - 04
		30		0 - 02
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		52		0 - 08
		51		0 - 13
		56		0 - 15
	हिरेवाटे	59	1	0 - 07
		59	2	0 - 20
		56	1	0 - 15
		56	2	0 - 05
		56	3	0 - 19

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		53	1	0 - 10
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		30	2	0 - 08
		29		0 - 05
		28	2	0 - 07
		28	3	0 - 08
		27		0 - 11
		25	1	0 - 03
		25	3	0 - 01
		25	4	0 - 05
		22		0 - 24
		20		1 - 09
		16	1	0 - 25
		16	2	0 - 38
		17		0 - 01
आलूर	कामाती	183		0 - 01
		185		0 - 06
		177		0 - 28
		178		0 - 06
		175		0 - 01
		179		0 - 08
		174		0 - 15
		191		0 - 01
		173		0 - 01
		113		0 - 07
		112		0 - 03
		111		0 - 05
		110	2	0 - 01
		110	3	0 - 01
		110	5	0 - 01
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		107		0 - 01
		106		0 - 01
		102		0 - 31
		100		0 - 01
		101		0 - 05
		93		0 - 07
		92		0 - 03

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		86		0 - 31
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		78		0 - 13
	कारजावल्ली	164		1 - 23
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		118		0 - 03
		123	2	0 - 08
		123	3	0 - 03
		124	2	0 - 05
		125		0 - 13
		120		0 - 01
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		153		0 - 10
		155		0 - 11
		156		0 - 01
		170	1	0 - 02
		170	4	0 - 03
		170	6	0 - 01
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		7	2	0 - 10
		6	4	0 - 05
		6	5	0 - 05
		6	6	0 - 05
		8	1	0 - 07
		8	2	0 - 06
		12	1	0 - 12
		12	2	0 - 16
		10	1	0 - 01
		14		0 - 01
	थेलगानहल्ली	6	2	0 - 15
		8	1	0 - 28
		8	2	0 - 22
		24	1	0 - 05
		24	2	0 - 13
		24	3	0 - 21
		26		0 - 16
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		45	1	0 - 07
		45	2	0 - 20
		45	3	0 - 03
		46	3	0 - 09
		46	4	0 - 04
		51		0 - 09
		50		0 - 10

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		49		0 - 10
		52		0 - 05
		47	2	0 - 09
		47	3	0 - 07
		48		0 - 11
	कन्तूर	133	1	0 - 12
		133	2	0 - 11
		133	6	0 - 06
		133	7	0 - 08
		133	8	0 - 06
		133	9	0 - 04
		133	10	0 - 16
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		71	1	0 - 04
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		71	2B	0 - 04
		72		0 - 07
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		9	6	0 - 17
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		11	6	0 - 08
		11	7	0 - 05
		11	8	0 - 04
		61		0 - 05
	कोडगीहल्ली	2	5	0 - 11
		2	7	0 - 05
		4	1	0 - 02
		4	2	0 - 08
		6		0 - 16
		7	2	0 - 02
		13	1	0 - 04
		13	2	0 - 02
		13	3	0 - 01
		13	4	0 - 03
		13	5	0 - 01
		14	4	0 - 03
		14	5	0 - 02

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		25	5	0 - 12
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		30		0 - 10
		33		0 - 28
		31		0 - 08
		32		0 - 05
		42		1 - 22
	वाजाराहल्ली	23		0 - 01
	कसबा आलूर	139		0 - 28
		138		1 - 07
		140		0 - 29
		137		0 - 12
		136		0 - 11
		135	1	0 - 12
		135	2	0 - 15
		118	2	0 - 08
		118	3	0 - 17
		119		0 - 04
		111	5	0 - 03
		111	7	0 - 03
		111	8	0 - 10
		111	9	0 - 03
		96		0 - 28
		97	1	0 - 01
		76	4	0 - 04
		76	5	0 - 05
		76	6	0 - 01
		77	1	0 - 10
		77	2	0 - 06
		77	3	0 - 09
		77	4	0 - 04
		48		2 - 25
	हंतनमने	21		0 - 24
		22		0 - 01
		19	1	0 - 11
		23	3	0 - 01
		23	4	0 - 06
		18	1	0 - 04
		18	2	0 - 06
		18	3	0 - 04

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		18	4	0 - 12
		18	5	0 - 03
		18	6	0 - 01
		18	7	0 - 01
		15		0 - 05
		17	1A	0 - 09
		17	1B	0 - 02
		17	2	0 - 01
		16		0 - 01
		33	3	0 - 06
		33	4	0 - 03
		33	5	0 - 04
		34	1	0 - 01
		35	3	0 - 02
		35	5	0 - 04
		36	1	0 - 02
		36	2	0 - 04
		37	5	0 - 04
		37	6	0 - 14
		38	1	0 - 08
	गूडियूर	164		0 - 05
		166	2	0 - 16
		166	3	0 - 13
		166	4	0 - 13
		166	5	0 - 08
		163		0 - 32
		159	1	0 - 05
		156		0 - 01
		145	3	0 - 05
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		119	1	0 - 04
		119	2	0 - 07
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		124		0 - 05
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		74	1	0 - 09
		72	2	0 - 04
		71		0 - 05
		70	1	0 - 03
		70	2	0 - 01
		68		0 - 11
		67		0 - 14

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	मावनूर	117	1	0 - 05
		117	3	0 - 11
		117	4	0 - 02
		118	2	0 - 06
		116		0 - 20
		115	4	0 - 04
		115	5	0 - 08
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		132	5	0 - 07
		84		0 - 03
		82		0 - 16
		81		0 - 05
		85		0 - 13
		86		0 - 01
		87	1	0 - 17
		87	2	0 - 23
		87	3	0 - 03
हासन	तिम्मनहल्ली	2	3	0 - 09
		3	1	0 - 15
		3	2	0 - 09
		6	5A	0 - 05
		6	6	0 - 08
		5	1	0 - 08
		5	2	0 - 02
		9		0 - 24
	येचालाहल्ली	44	1	0 - 10
		41		0 - 16
		42		0 - 10
		49		0 - 18
		45	1	0 - 38
	कंदाली	116		0 - 24
		117	1	0 - 07
		117	11	0 - 03

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		118		0 - 01
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		115	2	0 - 10
		78	1	0 - 06
		78	4	0 - 08
		78	6	0 - 04
		78	8	0 - 08
		78	7	0 - 01
		78	11	0 - 08
		78	13	0 - 08
		82		0 - 22
		83		0 - 13
		95		0 - 18
	ಹಲವಾಗಲು	262	1	0 - 06
		262	2	0 - 01
		261	1	0 - 06
		261	3	0 - 16
		260		0 - 01
		273		0 - 06
		272	1A	0 - 06
		272	2	0 - 08
		271		1 - 14
		270	1A1	0 - 16
		270	1A2	0 - 05
		270	1B	0 - 07
		270	2	0 - 09
		270	A6	0 - 05
		270	A7	0 - 04
		289	1	0 - 03
		290	1	0 - 06
		290	2	0 - 08
		290	3	0 - 16
		291	1	0 - 08
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		44	2	0 - 31
		51	1	0 - 04
		52	1	0 - 06
		52	5	0 - 11
		52	6	0 - 11
		53		0 - 21
		54	1	0 - 15
		54	2	0 - 12
		29		0 - 18
		28		0 - 19
		25		0 - 15

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	जोड़ीस्टटेकेरे	21	14	0 - 06
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		21	17	0 - 01
		21	18	0 - 02
		21	19	0 - 03
		21	20	0 - 08
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		17	3	0 - 02
		17	5	0 - 02
		17	6	0 - 02
		17	8	0 - 08
		17	9	0 - 01
		17	10	0 - 03
		13		0 - 12
		11	5	0 - 04
		11	7	0 - 04
		11	8	0 - 02
		11	9	0 - 01
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		4	3	0 - 02
		4	4	0 - 04
		4	6	0 - 03
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		81		0 - 16
		79	1	0 - 04
		79	2	0 - 01
		83		0 - 12
		78		0 - 15
		91		0 - 24
		92		0 - 25
		98		0 - 30
		97		0 - 17
		98		0 - 18
		95		0 - 19
	बिट्टगोडनहल्ली	85		0 - 38
	संकालपुरा	8		0 - 10

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		10		0 - 11
		6		0 - 36
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		63	2	0 - 14
		64		0 - 14
		62		0 - 11
		50	4	0 - 01
		51		1 - 21
		53		0 - 28
	चेन्नपट्टणा	14	2	0 - 01
		14	3	0 - 18
		10	2	0 - 09
		10	3	0 - 22
	कोक्कनधट्टा	54	1	0 - 13
		90		0 - 21
		91		0 - 07
		102	1	0 - 15
		104	1	0 - 08
		104	2	0 - 02
	बोस्मनायकनहल्ली	55	2	0 - 28
		55	3	0 - 19
		55	4	0 - 27
		56	7	0 - 02
		56	8	0 - 05
		89	2	0 - 10
		85	3	0 - 11
		85	4	0 - 15
		85	5	0 - 05
		84	1	0 - 13
		53	4	0 - 19
	दोड्डबसवनहल्ली	143		0 - 03
		138	1	0 - 03
		138	2	0 - 06
		138		0 - 16
		139	2	0 - 04
		139	3	0 - 05
		139	4	0 - 02
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		140	2	0 - 16
		27	1	0 - 20
		27	2	0 - 17
		28	1	0 - 38
		109	1	0 - 24
		110	1	0 - 08

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		113		0 - 08
		114		0 - 34
	कचनायकनहल्ली	55	1	0 - 11
		55	3	0 - 08
		55	6	0 - 12
		55	7	0 - 05
		55	8	0 - 07
		55	9	0 - 05
		55	4	0 - 22
		55	5	0 - 08
		55	13	0 - 02
		55	14	0 - 01
	दोडडहोन्नेनहल्ली	82	1	0 - 10
			2	0 - 04
			3	0 - 04
	बुस्थेनहल्ली	20		0 - 12
	कस्तूरवल्ली	23		0 - 10
		24		0 - 10
		25		0 - 04
		17		0 - 10
		16	1	0 - 11
		16	2	0 - 01
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		14	1B2	0 - 01
		14	2	0 - 01
		12	2	0 - 04
		11	2	0 - 09
		11	3A	0 - 08
		11	3B	0 - 05
	बुवनहल्ली	105	2B	0 - 14
		105	3B	0 - 04
		105	3A	0 - 20
		101	1A1	0 - 18
		101	1B	0 - 09
		101	2	0 - 07
		100	1A	0 - 04
		100	6	0 - 02
		100	25	0 - 04
		100	42	0 - 01
		100	44	0 - 12
	गेकरावल्ली	54	1	0 - 07

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		55	8	0 - 02
		55	9	0 - 09
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		47	4	0 - 13
		48	5	0 - 01
		48	6	0 - 09
		48	7	0 - 03
		36	1	0 - 21
		36	2	0 - 05
		33		0 - 04
		32	1	0 - 03
		34	2	0 - 04
		34	3	0 - 05
		34	4	0 - 01
		27	1	0 - 06
		27	2	0 - 04
		14		0 - 13
		13		0 - 18
	समुद्रवल्ली	6	1	0 - 15
		6	3	0 - 02
		6	15	0 - 03
		11	2	0 - 10
		11	3	0 - 13
		11	9	0 - 16
		11	17	0 - 07
		11	19	0 - 07
		11	20	0 - 05
		12		0 - 02
		1		3 - 10
	तेंडीहल्ली	30		1 - 37
		29		1 - 08
		70		0 - 02
		71		0 - 16
		74	2	0 - 02
		74	3	0 - 29
		72		0 - 08
		73		0 - 03
		69		0 - 06
		78		0 - 21

1	2	3	4	5
	मेलहल्ली	68		0 - 28
		162	2	0 - 33
		165	1	0 - 22
		165	2	0 - 23
		181	1	0 - 02
		181	8	0 - 02
		181	7	0 - 11
		181	5	0 - 01
		179	1	0 - 01
		182	1	0 - 08
		182	2	0 - 04
		178	2	0 - 04
		178	3	0 - 04
		184	1	0 - 01
		176	1	0 - 03
		176	2	0 - 03
		176	3	0 - 04
		176	4	0 - 02
		2	1	0 - 11
		2	2	0 - 09
		2	5	0 - 01
		2	3	0 - 01
		4		0 - 04
		3	1	0 - 01
		3	2	0 - 02
		29	2	0 - 01
		30		0 - 07
		32	1	0 - 13
		33	1	0 - 12
		89		1 - 22
		90		0 - 01
		88		0 - 22
		83		1 - 00
		84		0 - 35
	हलसिनहल्ली	63		2 - 15
		61		0 - 03
		51	2	0 - 11
		52		0 - 22
		54	1A	0 - 07
		54	2	0 - 08
		53		0 - 19
		60	2	0 - 35
	गादेनहल्ली	124		2 - 01
		128	7	0 - 23
		129	6	0 - 07
		129	9	0 - 08

1	2	3	4	5
		130	2	0 - 12
		130	11	0 - 04
		130	12	0 - 03
		1	1	0 - 08
		1	2	0 - 03
		1	3	0 - 03
		1	6	0 - 05
		1	7	0 - 06
		5		0 - 18
		6	7	0 - 01
		8	1	0 - 02
		7	1	0 - 03
		7	2	0 - 06
		7	3	0 - 09
		7	4	0 - 04
		7	5	0 - 07
	मेलगोडु	321	2	0 - 01
		319		0 - 04
		317	1	0 - 02
		317	2	0 - 07
		317	3	0 - 01
		327		0 - 01
		328	1	0 - 02
		328	2	0 - 02
		329	1	0 - 04
		329	2	0 - 02
		330		0 - 03
		331		0 - 03
		332		0 - 07
		333	3	0 - 03
		333	4	0 - 04
		334	1	0 - 02
		334	2	0 - 03
		334	3	0 - 02
		335	2	0 - 03
		335	3	0 - 03
		335	4	0 - 03
		336	3	0 - 01
		336	4	0 - 04
		336	5	0 - 03
		336	6	0 - 01
		337	1	0 - 06
		337	2	0 - 03
		265		0 - 01
		264	3	0 - 01
		264	4	0 - 12
		263		0 - 13

1	2	3	4	5
		278	3	0 - 10
		279	1	0 - 09
		280	1	0 - 12
		235		0 - 01
		227	1A	0 - 06
		229		0 - 14
		230		0 - 05
		232		0 - 01
		223		0 - 04
		224	2	0 - 01
		222	2	0 - 07
		222	3	0 - 07
		222	4	0 - 05
		222	5	0 - 07
	हारेनहल्ली	149	1	0 - 22
		154	1	0 - 17
		164	2	0 - 04
		154	5	0 - 04
		154	6	0 - 04
		164		0 - 04
		165	1	0 - 04
		165	2	0 - 08
		167	1	0 - 07
		4		0 - 06
		3	1	0 - 01
		5	1	0 - 10
		5	2	0 - 03
		8	2	0 - 08
		8	3	0 - 03
		8	4	0 - 08
		8	5	0 - 05
		8	6	0 - 04
		8	7	0 - 01
		8	8A	0 - 02
		8	8B	0 - 02
		8	9	0 - 04
		100	2	0 - 01
		9	8	0 - 07
		28	1	0 - 05
		28	2	0 - 04
		30	2	0 - 14
		30	3	0 - 07
		78	4	0 - 03
		31	1	0 - 07
		31	2	0 - 07
		31	3	0 - 08
		33	3	0 - 14

1	2	3	4	5
	हंपनहल्ली	33	4	0 - 12
		57		0 - 22
		56	1	0 - 02
		55	2	0 - 10
		55	3	0 - 07
		53	9	0 - 04
		53	10	0 - 05
		54	1	0 - 14
		54	2	0 - 04
		51	1	0 - 08
		51	2	0 - 03
		49	4	0 - 12
		49	5	0 - 17
		46	1	0 - 06
		46	3	0 - 09
		47	1	0 - 04
		47	2	0 - 07
		29	6	0 - 22
		29	7	0 - 09
		29	8	0 - 32
		12	2	0 - 04
		12	3	0 - 10
		12	4	0 - 03
		12	7	0 - 12
		12	10	0 - 07
		13	2	0 - 01
		13	3	1 - 02
		11		0 - 15
	हरिहरपुरा	109		0 - 14
		98		0 - 38
		97		2 - 32
चन्नरायपट्टणा	येरेबोरेकावल	63		1 - 24
	दोड्डकरडी	39	P	1 - 29
		265		0 - 24
		37	1	0 - 18
		37	2	0 - 09
		37	3	0 - 01
		36	9	0 - 08
		35		0 - 07
		259		0 - 16
		258		0 - 03
		260		0 - 16
		34		0 - 13

1	2	3	4	5
	बेलगुली	184		0 - 0.1
		183	1B	0 - 05
		183	2	0 - 13
		183	3B	0 - 04
		182		0 - 20
		181	1(P)1	0 - 25
		181	3	0 - 05
		174	1	0 - 06
		174	3	0 - 06
		174	9(P)1	0 - 16
		173		0 - 01
		160	1	0 - 01
		160	2	0 - 01
		161	2	0 - 16
		159	1	0 - 12
		154	1A	0 - 07
		154	2	0 - 06
		153	1(P)1	0 - 05
		153	2	0 - 04
		153	3	0 - 04
		152	1	0 - 04
		152	2	0 - 02
		151	2	0 - 04
		151	3	0 - 02
		151	4A	0 - 01
		151	4B	0 - 01
		151	5	0 - 02
		151	6	0 - 02
		151	7	0 - 04
		142	1	0 - 04
		142	2	0 - 15
		142	3	0 - 09
		142	4	0 - 01
		116	1A(P)II	0 - 06
		116	4	0 - 15
		116	3A	0 - 01
		120	2	0 - 01
		120	1	0 - 10
		119	3	0 - 04
		119	2	0 - 04
		62		0 - 06
		63		0 - 08
		49	3	0 - 10
		49	2(P)1	0 - 23
		49	1(P)1	0 - 12
		45		0 - 30

1	2	3	4	5
		45		0 - 02
	मल्लेनहल्ली	13		0 - 21
		14		0 - 22
		26		0 - 09
		26	1	0 - 14
		26	2	0 - 14
		29		0 - 25
		30	1	0 - 18
		30	2	0 - 28
		31	3	0 - 14
		32	2	0 - 14
		33		0 - 37
	कल्लेनहल्ली	74	P	1 - 14
		75	2	0 - 20
		75	3	0 - 11
		76	2	0 - 14
		77	2	0 - 18
		78	1	0 - 02
		79	1	0 - 14
		84	1	0 - 07
		84	2	0 - 01
		84	3	0 - 05
		84	6	0 - 03
		84	5	0 - 07
		86	1	0 - 08
		86	3	0 - 03
		87	4	0 - 09
		88	3	0 - 08
		88	5	0 - 04
		88	10	0 - 02
		88	13	0 - 04
		88	14	0 - 04
		1	2	0 - 05
		1	3	0 - 07
		13		0 - 28
		14	2	0 - 02
		15	1	0 - 21
		15	2	0 - 24
		17	1	0 - 23
		18	1	0 - 07
		18	2	0 - 08
		21	1	0 - 05
	तिपूर	79	3	0 - 01-

1	2	3	4	5
		65	3	0 - 02
		65	5	0 - 02
		65	8	0 - 02
		65	9	0 - 02
		64	3	0 - 03
		64	4	0 - 07
		64	5	0 - 08
		62		0 - 08
	कृष्णपुरा	56	1	0 - 06
		56	3	0 - 15
		55	1	0 - 25
		55	2	0 - 03
		7(P)		2 - 19
		8		0 - 36
		9(P)		0 - 37
	गोविनकेरे	162		0 - 09
		132		0 - 11
		161		0 - 08
		133		0 - 34
		120		1 - 24
		117	1	0 - 14
		121	5	0 - 06
		121	4	0 - 08
		122	2B	0 - 08
		122	2A	0 - 36
		121	1	0 - 02
		113		0 - 28
		110		0 - 02
		86	3(P)	0 - 02
		84	3	0 - 22
	दयावनूर	28	2	0 - 16
		28	3	1 - 05
		27	1	0 - 20
	ओबलपुरा	152	1	0 - 02
		152	2	0 - 08
		151	1	0 - 12
		153		0 - 03
		148	1	0 - 23
		148	2	0 - 03
		147		0 - 16
		142	1	0 - 05

1	2	3	4	5
		142	6	0 - 09
		141	1	0 - 19
		141	2	0 - 06
		141	3	0 - 01
		140		0 - 04
		139		0 - 05
		137		0 - 05
		136	1	0 - 09
		136	2	0 - 05
		119	3B	0 - 06
		119	3C	0 - 03
		120		0 - 03
		122	1	0 - 10
		98	2	0 - 16
		98	3A	0 - 02
		98	4	0 - 02
		99		0 - 26
		102	2	0 - 06
		222		0 - 14
		89		1 - 17
		87		1 - 20
				0 - 08
	हेमाडपेरे	12		0 - 14
		16	1A	0 - 05
		16	1B	
				0 - 01
	तगडूर	98	1	0 - 24
		98	2	0 - 07
		98	3	0 - 22
		97	2	0 - 06
		97	4	0 - 05
		96	1	0 - 16
		96	2	0 - 03
		94	2	0 - 14
		94	3	0 - 12
		93		0 - 17
		77		0 - 35
		78		0 - 09
		73		0 - 13
		72		0 - 14
		71	1	0 - 13
		71	2	0 - 24
		69	1	0 - 13
		69	2B	0 - 14
		69	3B	

1	2	3	4	5
	भूवनहल्ली	14		0 - 33
		21		0 - 27
	विरूपाक्षपुरा	27	2	0 - 16
		29	2	0 - 32
		29	1B	0 - 05
		29	1A1	0 - 21
		33		0 - 20
		82		0 - 03
		35		0 - 01
	दासपुरा	59		0 - 17
		60		0 - 15
	हविनहल्ली	51	P	0 - 38
		49	2	0 - 01
		32	1B	0 - 12
		32	1A	0 - 09
		32	2	0 - 15
		33	1	0 - 09
		33	2	0 - 08
		33	6	0 - 09
		33	5	0 - 05
		35	3	0 - 12
		29		0 - 17
		28		0 - 01
		59		0 - 37
		26	(P)	2 - 08
	मुलकेरी	67	1	0 - 11
		67	2(P)	0 - 10
		67	3	0 - 04
		67	4	0 - 03
		69	1D	0 - 04
		76		0 - 21
		75		0 - 08
		71	10	0 - 05
		70	5	0 - 01
		70	2F	0 - 05
		70	2E	0 - 04
		70	2G	0 - 04
		70	4	0 - 02
		60	1	0 - 03
		60	6	0 - 03
		60	3	0 - 12
		60	7	0 - 03
		65	1	0 - 38
		64		0 - 02

1	2	3	4	5
		52	1	0 - 03
		52	2	0 - 06
		52	3	0 - 08
		52	4	0 - 02
		52	6	0 - 01
		44	1	0 - 15
		42	5	0 - 10
		34	1	0 - 12
		34	2(P)	0 - 12
		33	4	0 - 11
		33	3	0 - 01
		20(P)		1 - 00
	शोट्टीहल्ती	93	P	2 - 05
		94	P	1 - 16
		69	P	1 - 24
		73	9P	0 - 08
		73	8	0 - 01
		73	6	0 - 01
		73	5	0 - 01
		73	4	0 - 01
		73	3	0 - 03
		87	(P)	1 - 38
	उंगारगेरे	82P		2 - 30
	मादलगेरे	185		0 - 05
		180		0 - 02
		175		0 - 16
		176		0 - 18
		1P		1 - 25
	बेलीकेरी	146		1 - 26
		147		0 - 33
		148	2	0 - 14
		148	3A	0 - 05
		148	3B	0 - 05
		148	3C	0 - 05
		141		0 - 19
		142	3	0 - 01
		138	1	0 - 10
		138	2	0 - 05
		138		0 - 07
		137		0 - 08
		121		0 - 03
		92	1	0 - 09
		92	2	0 - 10
		93	1	0 - 09

1	2	3	4	5
		93	2	0 - 05
		94	2	0 - 21
		100	1	0 - 04
		100	2	0 - 08
		100	3	0 - 04
		100	4	0 - 07
		111	1	0 - 13
		111	5	0 - 02
		111	6	0 - 04
		111	7	0 - 02
		111	9	0 - 06
		111	10	0 - 02
		111	11	0 - 01
		110	5A	0 - 10
		110	7	0 - 12
		109	6	0 - 03
		109	7	0 - 07
		114	2	0 - 06
		114	3	0 - 01
		114	5	0 - 10
	तुष्पदहल्ली	86	5	0 - 04
		86	6	0 - 04
		86	7	0 - 04
		86	8	0 - 04
		86	9	0 - 04
		86	10	0 - 04
		71		0 - 14
		85		0 - 02
		84		0 - 04
		83	2	0 - 06
		83	3	0 - 05
		83	6	0 - 09
		83	7	0 - 09
		79		0 - 03
		65	1	0 - 16
		64	1	0 - 05
		64	2	0 - 09
		63		0 - 03
	नारीहल्ली	108	4B	0 - 07
		108	5B	0 - 23
		108	5C	0 - 05
		96	1A	0 - 12
		96	1B	0 - 12
		96	3	0 - 09
		96	4	0 - 03
		94	1	0 - 05

1	2	3	4	5
		94	2	0 - 07
		94	3	0 - 14
		68	1	0 - 01
		68	2	0 - 06
		70	1	0 - 03
		70	3B	0 - 02
		70	4	0 - 02
		70	5A	0 - 03
		70	6	0 - 04
		70	7	0 - 05
	हुलवल्ली	72	1A	0 - 06
		72	4	0 - 03
		72	5	0 - 03
		36	1	0 - 12
		34	1A	0 - 01
		45	6	0 - 05
		45	5P	0 - 11
		45	4P	0 - 07
		58		0 - 02
		57	1	0 - 04
		57	2	0 - 01
		58	1P	0 - 23
		59		0 - 07
		114	P	0 - 35
		113	5	0 - 05
		60	9	0 - 04
		60	8	0 - 05
		60	10	0 - 07
		60	6	0 - 13
		60	3P	0 - 04
		60	5	0 - 04
	करिक्यातनहल्ली	15	1	0 - 01
		15	13	0 - 01
		15	12	0 - 01
		15	11	0 - 01
		15	8	0 - 10
		15	9	0 - 03
		14		0 - 25
		95		0 - 07
		96		0 - 07
		3		0 - 07
		12	1P	0 - 06
		4	P	0 - 11

(फा० स० आर-31015/3/98 ओआर II)

जे के माध्यम, अ. र सचिव

New Delhi, the 23<sup>rd</sup> June, 1999

S.O. 1901.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas Number S.O.1512 dated ,the 1st August,1998 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum products from Mangalore to Bangalore in the State of Kamataka, by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 1-9-1998 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government;

And,further, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired, for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section , the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULESTATE: KARNATAKADISTRICT: DAKSHINA KANNADA

## AREA

Name of Taluk	Name of Village	Survey No.	Part/ Hissa No. (if any)	EXTENT Acre - Cents
1	2	3	4	5
MANGALORE	THOKUR	5	7	0 - 13
		5	8	0 - 04
		6	2	0 - 23
		6	3	0 - 14
		6	7	0 - 20
		6	8	0 - 54
		7	2	0 - 31
		8	3	0 - 07
		8	8	0 - 31
		12	7	0 - 08
KENJAR	KENJAR	47	4	0 - 04
		50	2	0 - 16
		50	3A1	0 - 11
		50	3B	0 - 05
		50	4A	0 - 13
		50	4B	0 - 34
		50	5	0 - 33
		50	23	0 - 38
		151	2	0 - 19
		151	3	0 - 28
		151	4	0 - 01
		151	6	0 - 20
		152	11	0 - 15
		152	13	0 - 21
		153	3	0 - 18
		153	4	0 - 32
		154	3	0 - 01
		154	4	0 - 22
		154	5	0 - 15
		154	6	0 - 39
		154	7C	0 - 07
		154	7D	0 - 19
		155	1	0 - 15
		155	2	0 - 12
		155	5	0 - 10
		159	4	0 - 22
		160	2	0 - 89
		163	2	0 - 08
		163	4	0 - 31
		163	6	0 - 27

1	2	3	4	5
	KANDAVARA	163	8	0 - 28
		20	1	0 - 58
		20	3	0 - 40
		20	4	0 - 67
		22	3	0 - 48
		22	8	0 - 01
		22	11	0 - 08
		23	3	0 - 02
		23	4	0 - 19
		44	3A	0 - 08
		45	4	0 - 13
		45	8	0 - 19
		45	10	0 - 11
		46	2	0 - 13
		46	5	0 - 37
		46	6	0 - 13
		47	1	0 - 18
		47	2	0 - 33
		47	6	0 - 51
		48	1	0 - 45
		48	5	0 - 23
		50	2A	0 - 41
		50	2B	0 - 35
		50	3	0 - 21
		50	4	0 - 18
		88	5	0 - 02
		105	1A	0 - 20
		105	1B	0 - 03
		109	2	0 - 03
		130		0 - 35
		131		0 - 93
		132	2	0 - 98
	MULUR BADAGAULIPADI	7	1A1	0 - 16
		1	11	0 - 12
		1	15	0 - 23
		3	17	1 - 78
		3	20	0 - 33
		21	1	0 - 67
		21	8	0 - 45
		21	18	0 - 18
		26	1	0 - 37
		26	2	0 - 30
		26	5A	0 - 20
		26	5B	0 - 08
		26	6	0 - 17
		27	9	0 - 19
		27	10	0 - 24
		27	11	0 - 08
		27	12	0 - 17
		28	5	0 - 02
		29	2	0 - 11

1	2	3	4	5
		29	3	0 - 24
		29	5	0 - 39
		29	6	0 - 13
		30	1	0 - 25
		31	1	0 - 15
		31	4	0 - 14
		31	5	0 - 09
		32	15	0 - 52
		32	16	0 - 21
		51	9C	0 - 48
		52	1	0 - 38
		207	2	0 - 81
		208	1B	0 - 39
		208	2	0 - 60
		208	3	0 - 64
	MOGAR	27	4	0 - 19
	MOGAR	27	5	0 - 13
	MOGAR	27	6	0 - 91
	MOGAR	38		0 - 45
	MOGAR	39	1	0 - 50
	MOGAR	39	2	0 - 48
	MOGAR	40	9	0 - 01
	MOGAR	40	10	0 - 26
	MOGAR	40	11	0 - 13
	MOGAR	41	6	0 - 72
	MOGAR	43	3	1 - 20
	MOGAR	43	7	0 - 21
	MOGAR	51		0 - 29
BANTVALA	KARIYANGALA	2	2	0 - 56
	KARIYANGALA	3	2	0 - 32
	KARIYANGALA	3	3	0 - 17
	KARIYANGALA	3	15E	0 - 08
	KARIYANGALA	3	15F	0 - 27
	KARIYANGALA	4	2	0 - 28
	KARIYANGALA	4	3	0 - 49
	KARIYANGALA	5	1A	0 - 29
	KARIYANGALA	5	1B	0 - 25
	KARIYANGALA	6	1	0 - 76
	BADAGABELLURU	35	12	0 - 99
	BADAGABELLURU	41	2	0 - 40
	BADAGABELLURU	42	9A	1 - 15
	BADAGABELLURU	42	21	0 - 12
	BADAGABELLURU	51	1	0 - 68
	BADAGABELLURU	51	3	0 - 10
	BADAGABELLURU	52	7	0 - 02
	BADAGABELLURU	52	8	0 - 01
	BADAGABELLURU	53	2	0 - 53
	BADAGABELLURU	53	3	0 - 23
	BADAGABELLURU	53	4	0 - 05
	BADAGABELLURU	53	5	0 - 14

1	2	3	4	5
BELATHANGADI	BELAL	53	9	0 - 22
		54	2	0 - 01
		56	3	0 - 18
		72	2B	0 - 98
		72	3	0 - 29
		72	10	1 - 47
		72	11	0 - 70
		88	6	0 - 77
		88	10	0 - 20
		88	11	0 - 35
		88	23	0 - 60
		88	24	0 - 13
		101		0 - 20
		155	1	0 - 16
		155	2	0 - 45
		169		0 - 82
		170	1	0 - 42
		170	2	0 - 01
		216		1 - 12
		4	8	1 - 03
		4	7	0 - 28
		5	1	0 - 35
		5	2	0 - 19
		5	3A	0 - 22
		5	3B	0 - 16
		5	5	0 - 19
		250	2	0 - 82
		256		0 - 30
		257	6A	0 - 15
		257	6B	0 - 04
		257	8A	0 - 35
		257	8B	0 - 05
		257	9A	0 - 15
		257	9B	0 - 04
		308	1	0 - 14
		308	2	0 - 11
		312	3	0 - 11
		312	5	0 - 29
		313		0 - 25
		316	2B	0 - 22
		318	3A	0 - 03
		318	11	0 - 26
		324	5	0 - 68
		324	9	0 - 22
	DHARMASTHALA	1	3	0 - 13
		19	1	0 - 21
		19	2	0 - 40
		21	2B	0 - 06
		21	3	0 - 15
		21	4B	0 - 52
		21	7	0 - 50
		24	2A2	0 - 02

1.	2.	3.	4.	5.
		24	4	0 - 20
		33	1	0 - 17
		36	2	0 - 42
		36	4	0 - 04
		36	5	0 - 19
		37	3	0 - 32
		37	4	0 - 34
		76	2	0 - 02
		76	5	0 - 02
		76	6	0 - 24
		76	7	0 - 29
		76	8	0 - 91
		76	9	0 - 04
		76	11	0 - 06
		79	2A	0 - 82
		79	3A	0 - 44
		84	1	0 - 23
		84	2A	0 - 47
		84	2B	0 - 03
	PUDUVETTU	155	1	0 - 65
		155	2	0 - 14
		155	3	0 - 01
		162	3A	0 - 08
		162	3B	0 - 08
		182		0 - 52
		267	1A	1 - 05
		267	1C	0 - 22
		308	3A	0 - 43
		308	3B	0 - 37
		308	4	0 - 06
		161	1A	2 - 21
		161	1B	1 - 01
		233	1	0 - 99
		226		1 - 13
	NERIYA	227		0 - 03
		144		0 - 50
		77	3	0 - 70
		146		60 - 00
		71	4B	0 - 13

**STATE: KARNATAKA****DISTRICT: CHICKMAGALUR  
AREA**

Name of Taluk	Name of Village	Survey No.	Part/ Hissa No. (if any)	EXTENT Acres - Guntas
1	2	3	4	5
MUDIGERI	GUTTI	199		0 - 05
		200		0 - 05
		214		0 - 05
		236		0 - 03
		246		0 - 37
		248		0 - 15
MULARAHALLI	MULARAHALLI	10		0 - 08
		12		0 - 01
		16		0 - 09
		17		0 - 06
BYADAVALLI	BYADAVALLI	55		1 - 35
		97		0 - 06
		99		0 - 03
		100		0 - 04
		101		0 - 16
		102		0 - 05
		103		0 - 05
		121		0 - 01
		123	1	0 - 15
		123	2	0 - 10
		131		0 - 06
		132	2	0 - 08
		133	1	0 - 11
		133	2	0 - 12
HEMMADI	HEMMADI	6		0 - 17
		56		0 - 10
		62		0 - 14
		65		0 - 24

1	2	3	4	5
	GOUDAHALLI	39		0 - 19
		41		0 - 10
		74		0 - 37
	DEVAVRUNDA	12		0 - 04
		14		0 - 02
		15		0 - 03
		27		0 - 01
		28	1	0 - 11
		28	2	0 - 01
		28	3	0 - 01
		30		0 - 08
		32		0 - 01
		33		0 - 01
		34	1	0 - 02
		38	1	0 - 25
		38	2A	0 - 13
		38	3	0 - 10
		46	1	0 - 07
		46	2	0 - 03
		47		0 - 03
		48		0 - 02
		49		2 - 19
		51		0 - 10
		85		0 - 05
		91		0 - 16
		98	4	0 - 08
		162	1	0 - 13
		162	2	0 - 13
		189	2	0 - 16
		195	1	0 - 04
		196		0 - 18
		216		0 - 12
		219		0 - 01
		220		1 - 39
		221		0 - 32
		225		0 - 10
		226	1	0 - 05
		226	2	0 - 04
		227		0 - 22
		248		0 - 30

1	2	3	4	5
		256		0 - 35
		257		0 - 02
		258	1A	0 - 01
		259		0 - 38
		260	2	0 - 04
		90		0 - 08
		249		0 - 36
	HARAMAKKI	74		0 - 35
		82		0 - 17
		84		0 - 12
		88		0 - 15
		134		0 - 25
		146		0 - 15
	HARESHIGERE	55		0 - 23
		62		0 - 29
		63		0 - 02
		79		0 - 01
		80	2	0 - 24
		83	1	0 - 06
		84		0 - 16
		85	1	0 - 05
		86	1B	0 - 04
		87		0 - 08
		88		0 - 06
		90		0 - 08
		91		0 - 09
		97		0 - 05
		98	1	0 - 03
		99		0 - 05

STATE : KARNATAKADISTRICT : HASSANAREA

Name of Taluk	Name of Village	Survey No.	Part/Hissa No. (if any)	EXTENT Acres -Guntas
1	2	3	4	5
SAKLESHPUR	Handiganahalli	114	2	0 - 13
		114	3	0 - 03
		112		0 - 11
		111		0 - 12
		110		0 - 22
		108		0 - 13
		103		0 - 09
		104		0 - 01
		105		0 - 23
		97		0 - 03
		74		0 - 17
		46	2	0 - 06
		47	1	0 - 05
		47	2	0 - 02
		47	3	0 - 05
		48		0 - 13
	Hurudi	85		0 - 13
		88		0 - 17
		82		0 - 11
		88		0 - 25
		75	1	0 - 18
		75	2	0 - 14
		78	8	0 - 01
		92		0 - 01
		68		0 - 04
		143		0 - 24
		142		0 - 22
		100		0 - 16
		65		0 - 01
		66		1 - 05
		101	2	0 - 17
		102		0 - 19
		103		0 - 01
		140		0 - 02
		139	1	0 - 15
		139	2	0 - 04
Acharadi	Acharadi	16		0 - 11
		13		0 - 09
		15		0 - 02
		14		1 - 11
		25		1 - 12

1	2	3	4	5
		79		0 - 16
		78		0 - 07
		75		0 - 23
		74	1	0 - 03
		73		0 - 28
		67		1 - 00
		65		0 - 36
		63		0 - 05
		62		0 - 14
		60	1	0 - 31
		60	2	0 - 06
		47		0 - 17
		55	1A	0 - 04
		55	1B	0 - 10
		55	2	0 - 03
		48		0 - 01
		76		0 - 01
	Lakkunda	79		0 - 16
	Udevara	208		0 - 04
		207		0 - 25
		204	1	0 - 08
		204	2	0 - 04
		204	3	0 - 13
		202		0 - 11
		203		0 - 01
		254	1	0 - 04
		254	2	0 - 03
		259		0 - 13
		266		0 - 08
		267	3	0 - 24
		271		0 - 13
		272		0 - 19
		273	1	0 - 17
		273	2	0 - 07
		274		0 - 38
		93		0 - 31
		92		0 - 11
		91	2	0 - 23
		98		0 - 27
		99		0 - 02
		29	1	0 - 18
		29	2	0 - 11
		28	2	0 - 02
		24	2	0 - 07
		23		0 - 09
		22	1	0 - 01
		20		0 - 22
		17	1	0 - 03
		17	4	0 - 05
		16		0 - 07

1	2	3	4	5
		14		0 - 08
		13		0 - 03
		12		0 - 01
		11	1	0 - 11
		11	2	0 - 12
		54		0 - 29
		378		0 - 16
		378		0 - 20
	Balagodu	65		0 - 20
	Matigalali	5		0 - 05
		7		0 - 05
		8	2	0 - 02
		8	3	0 - 06
		8	4	0 - 04
		8	5	0 - 02
		21		0 - 11
		20	1	0 - 01
		20	2	0 - 08
		20	3	0 - 04
		12	2	0 - 10
		12	4	0 - 07
		12	5	0 - 14
		13		0 - 09
		14		0 - 12
		15		0 - 14
	Kasagauli	62		0 - 03
BELUR	Murahalli	41		1 - 16
		52		0 - 33
		51		0 - 15
		50		0 - 24
		49		0 - 15
		62		0 - 24
		93		0 - 18
		92	2	0 - 01
		107		0 - 04
		108		1 - 03
		110		0 - 11
		109		0 - 13
	Elaidakallu	45		0 - 04
		44		0 - 03
		46		0 - 10
		3		0 - 07
	Nandigontanahalli	24	1	0 - 11
		24	2	0 - 08
		25		0 - 20
		22	1A	0 - 22

1	2	3	4	5
		26		0 - 20
		28		0 - 13
		29	2	0 - 37
		34		0 - 04
		33		0 - 22
		35		0 - 02
		36		0 - 20
		2	2	0 - 05
		47		0 - 21
		46		0 - 20
	Uthalalu	67		2 - 18
		68		0 - 08
		72		0 - 34
		49	1	0 - 27
		58		0 - 04
		50		1 - 03
		55		0 - 04
		53		0 - 02
		51		0 - 14
	Vatehalli	12		0 - 18
		13		0 - 35
		14		1 - 09
		15		0 - 08
		24		0 - 16
		49		0 - 07
		51		0 - 03
	Irkaravalli	40	1	0 - 16
		41	2	0 - 31
		37	1	0 - 16
		36		0 - 21
		62		1 - 04
		51		0 - 19
		50		0 - 01
		98		0 - 08
		49		0 - 25
	Ankhihalli	36		1 - 23
		38	2	0 - 18
		39		0 - 04
		40		0 - 39
	Gummanahalli	77		0 - 07
		78		0 - 11
		75		0 - 19
		74		0 - 14
		73		0 - 01
		72		0 - 12
		71		0 - 10
		57		0 - 01

1	2	3	4	5
		59		0 - 01
		54		0 - 05
		53		0 - 17
	Heddaravalli	20		0 - 12
		21	2	0 - 10
		23	6	0 - 10
		23	7	0 - 08
		19	6	0 - 04
		19	7	0 - 01
		19	9	0 - 02
		19	10	0 - 02
		29	1	0 - 09
		29	2	0 - 03
		32	1	0 - 05
		32	2A	0 - 08
		32	2B	0 - 04
		30		0 - 02
		31	1	0 - 13
		31	2	0 - 02
		43	1	0 - 19
		43	2	0 - 05
		44	1	0 - 10
		50	2	0 - 15
		52		0 - 08
		51		0 - 13
		56		0 - 15
	Hirevati	58	1	0 - 07
		59	2	0 - 20
		56	1	0 - 15
		58	2	0 - 05
		58	3	0 - 19
		53	1	0 - 10
		53	2	0 - 05
		53	3	0 - 04
		53	4	0 - 11
		54	2	0 - 07
		47	3	0 - 05
		44	3	0 - 14
		39		0 - 02
		30	1	0 - 01
		30	2	0 - 06
		29		0 - 05
		28	2	0 - 07
		28	3	0 - 08
		27		0 - 11
		25	1	0 - 03
		25	3	0 - 01
		25	4	0 - 05
		22		0 - 24
		20		1 - 09

1	2	3	4	5
		18	1	0 - 25
		16	2	0 - 38
		17		0 - 01
ALUR	Kamati	183		0 - 01
		185		0 - 06
		177		0 - 28
		178		0 - 06
		175		0 - 01
		179		0 - 08
		174		0 - 15
		191		0 - 01
		173		0 - 01
		113		0 - 07
		112		0 - 03
		111		0 - 05
		110	2	0 - 01
		110	3	0 - 01
		110	5	0 - 01
		110	6	0 - 17
		109		0 - 04
		108		0 - 09
		107		0 - 01
		106		0 - 01
		102		0 - 31
		100		0 - 01
		101		0 - 05
		93		0 - 07
		92		0 - 03
		87		0 - 11
		86		0 - 31
		84	1	0 - 27
		78		0 - 13
	Kajaravalli	164		1 - 23
		117		0 - 21
		118		0 - 03
		123	2	0 - 08
		123	3	0 - 03
		124	2	0 - 05
		125		0 - 13
		120		0 - 01
		152		0 - 02
		153		0 - 10
		155		0 - 11
		156		0 - 01
		170	1	0 - 02
		170	4	0 - 03
		170	6	0 - 01
		170	7	0 - 09
		7	2	0 - 10
		6	4	0 - 05

1	2	3	4	5
		6	5	0 - 05
		6	6	0 - 05
		8	1	0 - 07
		8	2	0 - 08
		12	1	0 - 12
		12	2	0 - 16
		10	1	0 - 01
		14		0 - 01
	Yalaganahalli	6	2	0 - 15
		8	1	0 - 28
		8	2	0 - 22
		24	1	0 - 05
		24	2	0 - 13
		24	3	0 - 21
		26		0 - 18
		42		0 - 23
		43		0 - 01
		45	1	0 - 07
		45	2	0 - 20
		45	3	0 - 03
		46	3	0 - 09
		46	4	0 - 04
		51		0 - 09
		50		0 - 10
		49		0 - 10
		52		0 - 05
		47	2	0 - 09
		47	3	0 - 07
		48		0 - 11
	Kanathur	133	1	0 - 12
		133	2	0 - 11
		133	6	0 - 06
		133	7	0 - 08
		133	8	0 - 06
		133	9	0 - 04
		133	10	0 - 16
		69		0 - 23
		71	1	0 - 04
		71	2A	0 - 04
		71	2B	0 - 04
		72		0 - 07
		85	3	0 - 01
		85	4	0 - 12
		84	1	0 - 03
		84	2	0 - 04
		84	3	0 - 08
		84	4	0 - 02
		84	6	0 - 07
		8	1	0 - 04
		9	3	0 - 01

1	2	3	4	5
		9	5	0 - 08
		9	6	0 - 17
		11	5	0 - 09
		11	6	0 - 08
		11	7	0 - 05
		11	8	0 - 04
		61		0 - 05
	Kodagihalli	2	5	0 - 11
		2	7	0 - 05
		4	1	0 - 02
		4	2	0 - 08
		6		0 - 16
		7	2	0 - 02
		13	1	0 - 04
		13	2	0 - 02
		13	3	0 - 01
		13	4	0 - 03
		13	5	0 - 01
		14	4	0 - 03
		14	5	0 - 02
		14	6	0 - 01
		59	2	0 - 04
		61		0 - 02
		15		0 - 12
		25	1	0 - 09
		25	5	0 - 12
		25	7	0 - 14
		25	8	0 - 01
		30		0 - 10
		33		0 - 28
		31		0 - 08
		32		0 - 05
		42		1 - 22
	Vajarahalli	23		0 - 01
	Kasaba Alur	139		0 - 28
		138		1 - 07
		140		0 - 29
		137		0 - 12
		136		0 - 11
		135	1	0 - 12
		135	2	0 - 15
		118	2	0 - 08
		118	3	0 - 17
		119		0 - 04
		111	5	0 - 03
		111	7	0 - 03
		111	8	0 - 10
		111	9	0 - 03
		96		0 - 28

1	2	3	4	5
		97	1	0 - 01
		78	4	0 - 04
		78	5	0 - 05
		78	6	0 - 01
		77	1	0 - 10
		77	2	0 - 08
		77	3	0 - 09
		77	4	0 - 04
		48		2 - 25
	Hanthanamane	21		0 - 24
		22		0 - 01
		19	1	0 - 11
		23	3	0 - 01
		23	4	0 - 06
		18	1	0 - 04
		18	2	0 - 06
		18	3	0 - 04
		18	4	0 - 12
		18	5	0 - 03
		18	6	0 - 01
		18	7	0 - 01
		15		0 - 05
		17	1A	0 - 09
		17	1B	0 - 02
		17	2	0 - 01
		18		0 - 01
		33	3	0 - 08
		33	4	0 - 03
		33	5	0 - 04
		34	1	0 - 01
		35	3	0 - 02
		35	5	0 - 04
		36	1	0 - 02
		36	2	0 - 04
		37	5	0 - 04
		37	6	0 - 14
		38	1	0 - 08
	Yadoor	164		0 - 05
		166	2	0 - 16
		166	3	0 - 13
		166	4	0 - 13
		166	5	0 - 08
		163		0 - 32
		159	1	0 - 05
		158		0 - 01
		145	3	0 - 05
		118		0 - 10
		120	2	0 - 04
		119	1	0 - 04
		119	2	0 - 07

1	2	3	4	5
		117		0 - 04
		123		0 - 05
		124		0 - 05
		126	1	0 - 03
		126	2	0 - 05
		126	5	0 - 03
		77		0 - 07
		74	1	0 - 09
		72	2	0 - 04
		71		0 - 05
		70	1	0 - 03
		70	2	0 - 01
		68		0 - 11
		67		0 - 14
	Mavanuru	117	1	0 - 05
		117	3	0 - 11
		117	4	0 - 02
		118	2	0 - 06
		116		0 - 20
		115	4	0 - 04
		115	5	0 - 08
		97		0 - 02
		125	3	0 - 09
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	Bittagondanahalli Sankalapura	8		0 - 10

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		72		0 - 08
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	Mailahalli	162	2	0 - 33
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		317	3	0 - 01
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	Hampanahalli	57		0 - 22
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	Harharapura	109		0 - 14
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CHANNARAYAPATNA	Yareberekaval	63		1 - 24

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Doddakaradi		39	P	1 - 29
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Belaguli		37	1	0 - 18
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	Kalenahalli	74	P	1 - 14
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	Krishnapura	62		0 - 08
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	Bhoovanahalli	14		0 - 33
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	Virupakshapura	27	2	0 - 16
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	Hoovinahalli	51	P	0 - 38
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		94	P	1 - 16
		69	P	1 - 24
Ungaragere Medalagere		73	9P	0 - 06
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		82P		2 - 30
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Bellkeri		175		0 - 16
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		93	2	0 - 05
		94	2	0 - 21
		100	1	0 - 04
		100	2	0 - 08
		100	3	0 - 04
		100	4	0 - 07
		111	1	0 - 13
		111	5	0 - 02
		111	6	0 - 04
		111	7	0 - 02
		111	9	0 - 06
		111	10	0 - 02
		111	11	0 - 01
		110	5A	0 - 10
		110	7	0 - 12
		109	6	0 - 03
		109	7	0 - 07
		114	2	0 - 08
		114	3	0 - 01
		114	5	0 - 10
Tuppadahalli		86	5	0 - 04
		86	6	0 - 04
		86	7	0 - 04
		86	8	0 - 04
		86	9	0 - 04
		86	10	0 - 04
		71		0 - 14
		85		0 - 02
		84		0 - 04
		83	2	0 - 06
Narihalli		83	3	0 - 05
		83	6	0 - 09
		83	7	0 - 09
		79		0 - 03
		65	1	0 - 16
		64	1	0 - 05
		64	2	0 - 09
		63		0 - 03
		108	4B	0 - 07
		108	5B	0 - 23

1	2	3	4	5
		108	5C	0 - 05
		98	1A	0 - 12
		98	1B	0 - 12
		98	3	0 - 09
		98	4	0 - 03
		94	1	0 - 05
		94	2	0 - 07
		94	3	0 - 14
		68	1	0 - 01
		68	2	0 - 06
		70	1	0 - 03
		70	3B	0 - 02
		70	4	0 - 02
		70	5A	0 - 03
		70	6	0 - 04
		70	7	0 - 05
	Hulavalli	72	1A	0 - 06
		72	4	0 - 03
		72	5	0 - 03
		35	1	0 - 12
		34	1A	0 - 01
		45	8	0 - 05
		45	5P	0 - 11
		45	4P	0 - 07
		58		0 - 02
		57	1	0 - 04
		57	2	0 - 01
		58	1P	0 - 23
		59		0 - 07
		114	P	0 - 35
		113	5	0 - 05
		60	9	0 - 04
		60	8	0 - 05
		60	10	0 - 07
		60	6	0 - 13
		60	3P	0 - 04
		60	5	0 - 04
	Karkyethanahalli	15	1	0 - 01
		15	13	0 - 01
		15	12	0 - 01
		15	11	0 - 01
		15	8	0 - 10
		15	9	0 - 03
		14		0 - 25
		85		0 - 07
		98		0 - 07
		13		0 - 07
		12	1P	0 - 06
		4	P	0 - 11

(File No. R-31015/3/98 ORII)  
J.K.MAYALL, Under Secy.

नई दिल्ली, 28 जून, 1999

**शुभेच्छा**

का.आ. 1902.—भारत सरकार का का० आ० 1129 इ. 8/4/1999 भारत के राजपत्र भाग-2 भेष-3 उपमोह संह १२४ दिनीक ८-५-९९ पृष्ठ के २५५७ से २५९७ मे प्रकाशित भारत सरकार पेट्रोलियम और प्राकृतिक गैस मंत्रालय विभाग को अधिसूचनाएँ।

१. पृष्ठ संख्या -2566 स्तोम २५ "नेवर रोड्स नै० २३३ के पास" स्थान पर स० नै० "२३३-१" मे शेष ०-८५-०" पढ़े।
२. पृष्ठ संख्या २५६९ स्तोम ३१/३२ "नेवर रोड्स सन्नै० २१ डिन्सै० १५ और २२ के बीच मे" स्थान पर "सन्नै० २१ डिन्सै० २२" पढ़े।
३. पृष्ठ संख्या २५७१, १३ स्तोम १६ सन्नै० "४२" के स्थान पर सन्नै० "५२" २४ स्तोम २० स. नै० "५५" के स्थान पर स. नै० "९६" ३४ स्तोम २८ सन्नै० १३५ के स्थान पर सन्नै० "१३९" पढ़े।
४. पृष्ठ संख्या २५८६ स्तोम "३१" के जगह "५३" पढ़े।
५. पृष्ठ संख्या २५८८ स्तोम २५/२६ "नेवर रोड्स सन्नै० २२० और २१८ के बाष" के जगह पर गन्नै० "२२३४ P" पढ़े।
६. पृष्ठ संख्या २५९२ स्तोम १४ "१५०" के स्थान पर "१०७" पढ़े।
७. पृष्ठ संख्या २५९३ स्तोम ११ "११५ के नजदीक" स्थान पर सन्नै० "१२९" पढ़े।
८. पृष्ठ संख्या २५९४ स्तोम ४७ सन्नै० "१०५" स्थान पर सन्नै० "२०५" पढ़े।
९. पृष्ठ संख्या २५९७ <sup>१</sup>,-
१०. स्तोम ४ मे -४५६ मे स्थान पर "४९६" पढ़े।
११. स्तोम २९ मे सन्नै० "५३७" के स्थान पर सन्नै० "२३७" पढ़े।
१२. स्तोम ३० के सन्नै० "५४०" के स्थान पर सन्नै० "२४०" पढ़े।
१३. स्तोम ३१ मे "नेवर रोड्स ५०७/१५" के पास के "स्थान पर सन्नै० २५७" पढ़े।
१४. स्तोम ३२ मे "नेवर रोड्स ५०७/१२०" के पास के "स्थान पर "२२८ & P" पढ़े।

[एल. 14014/16/98-जी.पी. खण्ड-3]

आई. एस. एन. प्रसाद, उप-सचिव

New Delhi, the 28th June, 1999

### CORRIGENDUM

**S.O. 1902.**— In the English version of the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 1129 dated the 8<sup>th</sup> April, 1999 published in the Gazette of India, Part II, Section 3, Sub-section ii pages 2598 to 2634.....

- (1) at page 2606, in line no. 30 for “Unnumbered land near s.no.233 0 17 2”, read s.no.“233/1(P) 0 85 0”;
- (2) at page 2609, for line no. 25 and 26 substitute s.no. “21”, H.No. “22”;
- (3) at page 2610, in line no. 51 for s.no. “42” read s.no. “52” and in line 55 for s.no. “55” read s.no. “96”;
- (4) at page 2611, in line no.7 for s.no. “135” read s.no. “139”;
- (5) at page 2621, in line no. 12 for “3(P) 0 15 0” read “188 Ten Palger Thane 3(P) 0 15 0”;
- (6) at page 2624, in line no.16 for “0 31 0” read “0 53 0”;
- (7) at page 2626, in line nos. 19 & 20 for the words “ in between G.No. 220 & 218” read G.No. “233(P)”;
- (8) at page 2629, in line no. 40 for s.no. “150” read s.no. “107”;
- (9) at page 2630, in line no. 31 for “land near s.no. “115” read s.no. “129”;
- (10) at page 2632, in line no.7 for s.no. “105” read s.no. “205”;
- (11) at page 2634:-
  - (i) in line no.6 for s.no. “456” read s.no. “496”;
  - (ii) in line no.9 for s.no. “36” read s.no. “W-36”;
  - (iii) in line no. 31 for s.no. “537” read s.no. “237”;
  - (iv) in line no. 32 for s.no. “540” read s.no. “240”;
  - (v) in line no. 33 for “Unnumbered s.no. near 507/94(P)” read s.no. “257”;
  - (vi) in line no. 34 for “unnumbered s.no. near 507/120(P)” read s.no. “228(P)”;
  - (vii) in line no. 35 for s.no. “64” read s.no. “W-64”.

## श्रम मंत्रालय

नई दिल्ली, 4 जून, 1999

का. आ. 1903—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईस्ट-वेस्ट एयरलाइंस के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट प्रौद्योगिक विवाद में प्रौद्योगिक अधिकरण तमिलनाडु, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-4-99 को प्राप्त हुआ था।

[सं. एल-20030(19)/95-प्राई. आर. (सी-I)]  
स्थान सुंदर गुप्ता, डैस्ट्रिक्ट अधिकारी

## MINISTRY OF LABOUR

New Delhi, the 4th June, 1999

S.O. 1903.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamilnadu, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. East West Airlines and their workman, which was received by the Central Government on 3-4-99.

[No. L-20030(19)/95-IR(C-I)]  
S. S. GUPTA, Desk Officer

## ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,  
TAMIL NADU CHENNAI

Wednesday, the 30th day of December 1998  
Present :

Thiru S. Ashok Kumar, M.Sc.,B.L., Industrial  
Tribunal,

## INDUSTRIAL DISPUTE NO. 62 of 1996

(In the matter of the dispute for adjudication under Section 10(1)(d) of the I.D. Act, 1947 between the Workman and the Management of East West Airlines Ltd., Madras-34).

## BETWEEN

Shri V. Venkatesan,  
Care of A. Parthasarathy,  
282, 'N' Block,  
Anna Nagar East,  
Madras-600 102.

## AND

The Area Manager,  
East West Airlines,  
9, Kodambakkam High Road,  
Madras-600 034.

## REFERENCE :

Order No. L-20030(19)/95-IR (Coal-I), Ministry of Labour, dated 12-8-96, Govt. of India, New Delhi.

This dispute coming on for final hearing on this day, in the presence of Thiru A. Parthasarathy, Authorised Representative, for petitioner-workman, upon perusing the reference, claim, counter statements and all other material papers on record, and the respondent being absent and set ex parte, this Tribunal passed the following :

## AWARD

This reference has been made for adjudication of the following issue :

"Whether the termination of the services of Shri V. Venkatesan by the management of East West Airlines, Madras without any enquiry on complying with the provisions of I.D. Act, 1947 w.e.f. Feb., 1994 is just, proper and legal? If not, to what relief is the concerned workman entitled?"

WW1 examined Ex. W-1 to W-6 marked. Claim proved. In the counter statement, it is mentioned that the respondent establishment at Madras is closed. Hence, instead of reinstatement with backwages. Award passed directing the respondent to pay wages from 1-2-94, till date. No costs.

Dated, this the 30th day of December, 1998.

S. ASHOK KUMAR, Industrial Tribunal

## WITNESSES EXAMINED

For Petitioner :

W.W.1 : Thiru V. Venkatesan.

For Respondent management : None.

## DOCUMENTS MARKED

For Petitioner-workman :

Ex. W-1/23-3-94 : Petitioners complaint before ALC (C)-1, Madras under ID Act (xerox copy).

W-2/6-5-94 : Counter of respondent before ALC (C) (xerox copy)

W-3/25-5-94 : Rejoinder by the petitioners (xerox copy)

W-4/7-7-94 : Reply of respondent to rejoinder (xerox copy)

W-5/28-2-95 : Conciliation failure report (xerox copy)

W-6/28-2-95 : Temporary passes for entry into Airport and identity card to petitioner (xerox copy).

For Respondent-management : None.

नई दिल्ली, 4 जून, 1999

का. आ. 1904.—श्रौद्धोगिक विवाद अधिनियम, 1997 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईस्ट-वेस्ट एयर लाइंस के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में केन्द्रीय सरकार श्रौद्धोगिक अधिकरण तमिलनाडु (चेन्नई) के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-99 को प्राप्त हुआ था।

[सं. पल-20030/20/95-आई. आर. (सी-)]  
श्याम सुंदर गुप्ता, डेस्क अधिकारी

New Delhi, the 4th June, 1999

S.O. 1904.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamilnadu, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. East-West Airlines and their workman which was received by the Central Government on 3-6-99.

[No. L-20030/20/95-IR(C-I)]  
S. S. GUPTA, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU CHENNAI

Wednesday, the 30th day of September 1998

Present :

Thiru S. Ashok Kumar, M.Sc.,B.L., Industrial Tribunal.

#### INDUSTRIAL DISPUTE NO. 63 of 1996

(In the matter of the dispute for adjudication under Section 10(1)(d) of the I.D. Act, 1947 between the Workman and the Management of East West Airlines, Madras-34).

#### BETWEEN

Shri D. Albert,  
Care A. Parthasarathy,  
282, 'N' Block,  
Anna Nagar East,  
Madras-600 102..

#### AND

The Area Manager,  
East West Airlines.  
9, Kodambakkam High Road,  
Madras-600 034.

#### REFERENCE :

Order No. L-20030/20/95/IR(Coal-I), Ministry of Labour, dt. 12-8-96, Govt. of India, New Delhi.

This dispute after restoration coming on for final hearing, on this day in the presence of Thiru A. Parthasarathy, Authorised Representative for the petitioner-workman, and the respondent being absent and

set ex parte, upon perusing the reference claim, counter statement and all other material papers on record, this Tribunal passed the following :

#### AWARD

This reference has been made for adjudication of the following issue :

"Whether the termination of the services of Shri D. Albert by the management of East West Airlines, Madras without any enquiry or complying with the provisions of I.D. Act, 1947 w.e.f. February 1994 is just, proper and legal ? If not, to what relief is the concerned workman entitled ?"

WW1 examined Ex. W-1 to W-6 marked. Claim proved. In the counter statement, it is mentioned that the respondent establishment is already closed. Hence, instead of reinstatement, with back wages Award passed directing the respondent to pay wages from 1-2-94 till date. No costs.

Dated, this the 30th day of December 1998.

S. ASHOK KUMAR, Industrial Tribunal  
WITNESSES EXAMINED

For Petitioner-workman :

W.W. 1 : Thiru D. Albert.

For Respondent-management : None

#### DOCUMENTS MARKED

For Petitioner-workman :

Ex. W-1/23-3-94 : Petitioner's Complaint before ALC(C)-1, Madras under ID Act (xerox copy)

W-2/6-5-94 : Counter of respondent before ALC (C) (xerox copy)

W-3/25-5-94 : Rejoinder by the petitioners (xerox copy)

W-4/7-7-94 : Reply of respondent to rejoinder (xerox copy)

W-5/28-2-95 : Conciliation failure report (xerox copy)

W-6/28-2-95 : Temporary passes for entry into Airport and identity card to petitioner (xerox copy).

नई दिल्ली, 4 जून, 1999

का. आ. 1905.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एयरलाइंस, मद्रास के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में श्रौद्धोगिक अधिकरण तमिलनाडु, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-99 को प्राप्त हुआ था।

[सं. पल-11012/18/92-आई. आर. (मिसिल)]  
श्याम सुंदर गुप्ता, डेस्क अधिकारी

New Delhi, the 4th June, 1999

S.O. 1905.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamilnadu, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. East West Airlines and their workman, which was received by the Central Government on 3-6-99.

[No. L-11012|18|92-IR(Misc)]  
S. S. GUPTA, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU MADRAS

Tuesday, the 19th day of January 1999

Present :

Thiru S. Ashok Kumar, M.Sc.,B.L., Industrial Tribunal.

#### INDUSTRIAL DISPUTE NO. 27 of 1993

(In the matter of the dispute for adjudication under Section 10(1)(d) of the I.D. Act, 1947 between the Workman and the Management of Indian Airlines, Madras-27).

#### BETWEEN

Shri S. Sugunan,  
New Street,  
Tiruppur Post,  
Chingleput Distt.

#### AND

The Manager (Personnel Services),  
Indian Airlines,  
“Airlines House”, Mennambakkam,  
Madras-600 027.

#### REFERENCE :

Order No. L-11012|18|92-IR (Misc). Ministry of Labour, dated 15-3-93, Govt. of India, New Delhi.

This dispute coming on for final hearing on this day, in the presence of Tvl. N.G.R. Prasad, S. Vaidyanathan, Kamatchisundaram and Indra, Advocates appearing for the respondent management and of Tvl. D. Bharathy, Advocate appearing for the petitioner and upon perusing the reference, claim, counter statement and all other papers on record, and the parties having filed a joint memo, this Tribunal made the following

#### AWARD

This reference has been made for adjudication of the following issue :

“Whether the management of Indian Airlines, Madras is justified in removing Shri S. Sugunan, Catering Helper from the service with effect from 22-2-1991 ? If not, to what relief is the workman concerned entitled?”

Petitioner present. Joint memo of settlement filed. Award passed in terms of settlement u/s. 18(1) of I.D. Act, filed in Court. No costs.

Dated, this the 19th day of January 1999.

S. ASHOK KUMAR, Industrial Tribunal

#### MEMORANDUM OF SETTLEMENT BETWEEN INDIAN AIRLINES LTD. MADRAS AND S. SUGUNAN ENTERED INTO UNDER SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT, 1947

##### Name of the Parties

##### Representing Management

General Manager (Personnel),  
Indian Airlines Ltd., Southern Region,  
Chennai-600 027.

##### Workman

Shri S. Sugunan,  
New Street, Thirupurur P.O.,  
Chengleput District.

#### SHORT RECITAL OF THE CASE

Whereas the workman S. Sugunan was removed from service by an order dated 22-2-1991 after conducting a detailed enquiry for a proved misconduct.

Whereas Industrial Dispute was raised by Shri Sugunan and the same was referred to the Industrial Tribunal, Madras. Whereas the workman raised preliminary issue in ID 27/93 as to whether the enquiry conducted by the Management was fair and proper and the enquiry was set aside by the Tribunal and the Management was allowed to let in fresh evidence and two witnesses were examined by the management. In the meantime, the parties after negotiation agreed for a settlement on the following terms :

1. Shri S. Sugunan will be reinstated with continuity of service but without backwages and with posting at Trichy.
2. At Trichy, he will be designated as Helper (Commercial) in the same pay scale. The number of years of service he had put in as Helper (Catering) will be taken into consideration for his next grade i.e. Sr. Helper (Commercial) as per R & P rules of the Company.
3. The period from the date of removal to the date of reinstatement will be counted as service for all purposes except backwages, PF and leave.
4. His pay will be fixed at appropriate stage in the pay scale he was holding at the time of removal from service with the benefit of fixation by granting notional increments.
5. The privilege leave and sick leave, if any, standing to his credit at the time of removal will be credited to his account and he will accrue leave as per entitlement from the date of joining at Trichy.
6. Before reinstatement, he will undergo medical examination to assess his fitness to be on duty.

Both parties agree to present this settlement before this Hon'ble Industrial Tribunal, Madras and seek an award in terms of the settlement in Industrial Dispute No. 27 of 1993 and that this settlement will form part of the Award.

Dated this the 19th day of January 1999.

For MANAGEMENT

INDIAN AIRLINES LTD.

K. SAMPATH KUMAR

GENERAL MANAGER (PERSONNEL)  
CHENNAI

For WORKMAN

S. Sugunan

Industrial Tribunal

(Tamil Nadu)

Chennai-600 104

नई बिल्सी, 7 जून, 1999

का. आ. 1906.—श्रीदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक आफ इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीदोगिक विवाद में श्रीदोगिक अधिकरण कोलम के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-6-99 को प्राप्त हुआ था।

[सं. एल-12012/360/97-आई. आर. (बी-II)]  
सी. गंगाधरण, डैस्क अधिकारी

New Delhi, the 7th June, 1999

S.O. 1906.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Kollam as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 4-6-99.

[No. L-12012/360/97-IR(B-II)]

C. GANGADHARAN, Desk Officer

#### ANNEXURE

#### IN THE COURT OF THE INDUSTRIAL TRIBUNAL, KOLLAM

(Dated, this the 6th day of May, 1999)

Present :

Sri C. N. Sasidharan, Industrial Tribunal.

IN

INDUSTRIAL DISPUTE NO. 6/98

BETWEEN

The Regional Manager, Central Bank of India  
Regional Office, Gopal Buildings, Thyvila  
Road, Trivandrum.

(By Sri V. K. Mohan Kumar, Advocate, Trivandrum).

AND

Smt. Vimla Bai, K. Puthuval Puthenveedu,  
Chempazhanthi P.O., Trivandrum.

(By S/s. H. B. Shenoy & Ashok B. Shenoy,  
Advocates, Ernakulam).

#### AWARD

This industrial dispute has been referred to this Tribunal by the Government of India as per Order No. L-12012/360/97-IR(B-II) dated 27-2-1998 for adjudicating the following issue :

"Whether the action of the management of Central Bank of India in terminating the services of Smt. Vimla Bai w.e.f. 25-8-1997 is legal and justified? If not, to what relief the said workman is entitled?"

2. In pursuance of notices issued from this Tribunal the workman and the management appeared before this Tribunal and filed statements advancing their respective contentions. Thereafter while the case was pending for production of records by the management as directed by this Tribunal on 17-11-1998 the management and counsel remained absent. Hence the case was adjourned to 27-2-1998. On that day also the management and counsel remained absent without any reason what so ever. Therefore the management was set ex parte. On that day the worker also remained absent and the case was adjourned for disposal. The worker subsequently moved petition for setting aside disposal order which was allowed. The worker has filed an affidavit also in support of her case pleaded in the claim statement. The worker has placed reliance mainly on three documents also which I am marking as Exts. W1 to W3 for identification.

3. In the affidavit filed by the worker she has averred that she has joined the service of the management on 22-10-1987 as Peon as recommended by the Employment Exchange as evident from Ext. W1 letter dated 22-10-1987 and continued till 25-8-1987 having worked 240 days during the consecutive twelve months period on several occasions. According to her the management has terminated her services without complying the provisions of the Industrial Disputes Act, 1947 i.e.; without serving notice and without paying compensation. It is further submitted that records of the management namely Profit & Loss Miscellaneous Daily Wages paid Account and Register of retrenched and temporary employees and also circulars issued by the management, but management has not produced those records before this Tribunal. The workman has also produced Ext. W2 letter dated 23-8-1993 issued by Trivandrum branch of the Bank to Trivandrum Regional Office intimating that she is eligible to be absorbed in the permanent service of the Bank and Ext. W3 circular dated 12-3-1991 issued by the management on absorption. According to her the action of management in retrenching her services is patently illegal and unjust.

4. The above averments of the petitioner contain in the affidavit and supported by the claim statement

and Exts. W1 to W3 remain unchallenged. The affidavit of the petitioner clearly proves her case. In the absence of contest I accept the same.

5. In view of what is stated above, an award is passed holding that the action of management terminating the service of the workman Smt. Vimla Bai, K. w.e.f. 25-8-1997 is illegal and unjustified and the workman is therefore entitled to be reinstated in service with all attendant benefits.

C. N. SASIDHARAN, Industrial Tribunal

### APPENDIX

#### Documents marked on the side of the Workman

Ext. W1 : Photostat copy of letter issued to the workman from the Asstt. Branch Manager of Trivandrum Branch of the management bank dated 22-10-1987.

Ext. W2 : Photostat copy of letter addressed to the Trivandrum Regional Office of the management bank from the branch manager of Trivandrum branch dated 23-8-1993.

Ext. W3 : Photostat copy of circular issued by Central Office of the management bank dated 12-3-1991.

नई दिल्ली, 7 जून, 1999

का. आ. 1907.—श्रोतोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिडिकेट बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुसंधान में निविष्ट श्रोतोगिक विवाद में केन्द्रीय सरकार श्रोतोगिक अधिकारण कोलम के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-6-99 को प्राप्त हुआ था।

[सं. एल-12012/364/96-आई. आर. (वी-II)]

सौ. गंगाधरण, डेस्क अधिकारी

New Delhi, the 7th June, 1999

S.O. 1907.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kollam as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 7-6-99.

[No. L-12012/364/96-IR(B-II)]

C. GANGADHARAN, Desk Officer

### ANNEXURE

#### IN THE COURT OF THE INDUSTRIAL TRIBUNAL, KOLLAM

(Dated, this the 3rd day of May, 1999)

#### PRESENT :

Sri C. N. Sasidharan, Industrial Tribunal.

### IN

Industrial Dispute No. 23/97

### BFTWEEN

The Deputy General Manager, Syndicate Bank, Zonal Office, P. B. No. 2268, Sastha Kripa Office Complex, Sasthamangalam, Trivandrum.

(By S/s. S. S. Kalkura and R. S. Kalkura, Advocates.)

### AND

Sri Doil Jose, Kalappurackal House, Nagapuzha, Kalloorikkad.

(By S/s. H. B. Shenoy and Ashok B. Shenoy, Advocates, Cochin.)

### AWARD

The issue referred for adjudication by the Government of India by Order No. L-12012/364/96-IR(B-II) dated 26-6-97 is the following :

"Whether the action of Syndicate Bank in imposing the punishment of dismissal from service on Sri Doil Jose, Stenographer w.e.f. 19-2-1996 is legal and justified? If not, to what relief the said workman is entitled?"

II. Sri Doil Jose, the workman in this case, was dismissed from service accepting the finding of guilt rendered by an Enquiry Officer who conducted a domestic enquiry into certain charges alleged against him. The management justifies their action in the written statement while the workman is claiming reinstatement. According to him he is innocent and there was no proper and valid domestic enquiry.

III. The question regarding the validity of the enquiry was considered as a preliminary issue and this Tribunal by order dated 19-2-1999 found that the enquiry is proper, valid and supported by legal evidence. In that order the relevant facts are stated in detail which I shall extract below in full :

### ORDER

This industrial dispute relates to the dismissal of Sri Doil Jose, Stenographer, with effect from 19-2-1996 from the service of the management bank.

2. The workman Sri Doil Jose was dismissed from service for the misconduct of fraud, fraudulent manipulations, falsification of bank records, misusing the official position and acting dishonestly for receiving undue allotment of shares for his own self and others. Before initiating disciplinary action the workman was served with chargesheet dated 20-5-1995. The explanation submitted by the workman to the chargesheet was not found satisfactory to the bank. Hence the bank ordered a domestic enquiry and the Asstt. Personnel Officer, Zonal Office, Trivandrum was appointed as the enquiry Officer. The enquiry officer found the workman guilty of the charges. Accepting the findings of the enquiry officer the management dismissed the workman from service.

3. The workman has filed a detailed claim statement and the contentions are briefly as under: The workman was employed as a stenographer in the management bank. While so working at Changannachery branch he was placed under suspension by order dated 10-1-1995 on the allegation that certain serious actions of fraudulent transactions in stock investment service at Changannachery branch. Prima facie appeal against him. Thereafter he was served with a chargesheet dated 20-5-1995 alleging misconduct of "doing acts prejudicial to the interest of the bank" under clause 19.5 of First Bipartite settlement dated 19-10-1966. The workman submitted explanation denying the charges without properly considering the explanation the Disciplinary Authority ordered an enquiry. The workman was accorded permission to be represented in the enquiry and he was represented by Sri S. Sasidharan Nair, Clerk. The enquiry officer after enquiry by his report dated 14-2-1995 held the workman guilty of the alleged charges. He was served with findings of the enquiry and accordingly submitted his submissions. Thereafter without properly appreciating the submissions the Disciplinary Authority by order dated 16-1-1996 afforded a chance of personal hearing. The workman availed the opportunity of personal hearing and made submissions against the proposed punishment. But without considering the submissions, the

proposed punishment of dismissal without notice was confirmed by proceedings dated 19-2-1996. The appeal filed by the workman was also dismissed by Appellate Authority. The punishment of dismissal is illegal and unjust. He is not guilty of the alleged charges and misconduct. The enquiry and impugned punishment are bad and vitiated. The chargesheet is vague and lacking in material particulars. The statements of allegation in the chargesheet are not interlinked with any of the clauses of misconduct enumerated therein. It is not revealed in the chargesheet as to what precisely is the particular charge made against the workman. Clause 19.5(j) mentioned above by itself is vague exposing an area not amenable to objective evaluation thereby, rendering itself otiose and any action there under is invalid. The chargesheet is totally silent as to the list of witness and documents relied in support of the charges. The enquiry and the impugned punishment are violative of the principles of natural justice, illegal and vitiated. The workman was denied opportunity of defence and he was not afforded the right of defence assistance through a lawyer though the presenting officer of management was legally trained mind. Management documents were marked in evidence without any identification through any competent witness. The workman was denied opportunity for perusal of the original documents and the documents relied on by the presenting officer of the management. Material witnesses and material evidence were suppressed in the enquiry. Several vital questions from defence side were omitted by the enquiry Officer and several objections raised by the defence were not recorded or properly adjudicated upon. The findings of the enquiry officer are biased, perverse and contrary to facts and circumstances and evidence on record. The enquiry officer had entered the findings of complete misappreciation of evidence and relying on inadmissible evidence. Dispassionate and judicious appreciation of evidence is absolutely lacking. There has been no independent assessment of evidence. Most of the management witnesses are interested partisan witnesses. No independent witnesses to the incident are examined. The impugned findings of guilt are erroneous and perverse and the impugned punishment based on such findings is liable to be set aside. The evidence in the enquiry does not substantiate the charges at all. The workman has been made scape-goat and singled out though the alleged discrepancies were traced out in the Changanchery branch as against five other staff. This discriminatory attitude of the management exhibits malafides and vindictiveness towards the workman and he stands victimised. The impugned punishment is excessive and disproportionate. Meritorious service tendered by the workman without any previous black mark was not considered. The suspension order issued by the management before the issuance of chargesheet is ab initio void and ineffective. Suspension being void the workman is entitled to be treated as on duty all throughout with full pay and allowance. The workman is without any job after dismissal and he is entitled to be reinstated in service with all benefits and continuity of service.

4. The management opposes the case of the workman. The contentions of management are briefly as under : This industrial dispute is not maintainable either in law or on facts. The management has held a full fledged domestic enquiry in respect of the charges levelled against the workman. A valid and proper domestic enquiry was held strictly adhering to the principles of natural justice, equity and good conscience and also as per the provisions of Bipartite settlement. Sufficient opportunity was provided to the workman. There was no violation of any principles of natural justice. This reference is bad in law and is not maintainable. The workman was chargesheeted for issuing stock invest from Changanchery branch in the name of four staff members namely Smt. Radhamma, Sri V.O. Thomas, Smt. Lilly Varghese and Sri K.J. Thomas. The workman though working as stenographer wilfully and deliberately attended to the work relating to the issuance of stock invest and thereby resorted to fraud, fraudulent manipulations, falsification of bank records, misusing the official position and acting dishonestly for receiving undue allotment of shares for his own self and others. The bank came to know that prima facie there were certain irregularities committed by the workman and he was placed under suspension. The bank has enumerated the details of the action resorted to by the workman. The explanation submitted by him was not satisfactory. Hence

a domestic enquiry was ordered. The enquiry officer after carefully analysing the evidence and after applying his mind and after being fully convinced, judiciously arrived at a conclusion that the charges are proved. The punishment was imposed after fully considering the entire evidence in the enquiry and being fully satisfied and convinced of the guilt of the workman. The appellate Authority also after exhaustively examining the evidence and applying his mind concurred with the decision of the Disciplinary Authority. The workman was placed under suspension pending enquiry. When the charges are proved in the enquiry and the punishment or dismissal was awarded to the workman the question of treatment of suspension period as duty does not arise. The enquiry is in no way vitiated. The chargesheet was clear and unambiguous. The workman fully understood the charges levelled against him and tendered his explanation. Nowhere in his explanation or during the course of the enquiry did the workman ever complain that the charges could not be understood by him or that they were in any way vague. The documents relied on by the management and the list of witnesses were furnished to the delinquent workman and he had full opportunity to examine the documents and cross examine the management witnesses. In the appeal filed by the workman he has exhaustively dealt with the charges and nowhere in the appeal has he averred that he was unable to understand that charges levelled against him on account of vagueness or that he had not been given an opportunity to meet the charges. There has been no prejudice of whatever nature caused to the workman. The enquiry officer had maintained unbiased and objective attitude throughout the enquiry and the enquiry was conducted in an impartial manner with an open mind. The documents were marked in the enquiry through the person in custody who was cross examined in length. The findings of guilt has been based on legal evidence and inconsonance with the whole body of evidence adduced in the enquiry. The management denies all other allegations of the workman. There were no basic errors, mala fides or victimisation. According to the management the action of management in imposing the aforesaid punishment of dismissal on the workman is legal, just, fair, commensurate with and proportionate to the gravity of the misconduct committed by him. It is not liable to be set aside.

5. As requested by the parties the validity of the domestic enquiry was considered as a preliminary issue. No oral evidence has been let in by either side. The enquiry file containing, chargesheet, explanation of the workman, statement of witnesses, documents and the findings of the enquiry officer has been marked as Ext. M1 as consented to by the learned counsel for the workman without examining the enquiry officer. Both sides were heard.

6. At the time of argument only two points were urged before me by the learned counsel for the workman against the enquiry. The first point is that the enquiry is vitiated and liable to be set aside as likelihood of bias is writ large. According to the learned counsel the enquiry officer who conducted the enquiry is a subordinate officer to MWI in the enquiry who is the complainant and investigated the misconduct. The argument is that in such circumstances likelihood of bias is writ large. On verification of Ext. M1 enquiry file it is evident that MWI in the enquiry is Divisional Manager in the vigilance unit of management bank at Trivandrum. He is not the complainant as alleged. No doubt he was the investigating officer and he has given evidence in support of the investigation. The chargesheet was issued by the Deputy General Manager who was the Disciplinary Authority. Therefore the argument that MWI is the complainant is against truth. There is no dispute that the enquiry officer is a subordinate officer to MWI. But MWI is not the complainant in this case. Merely because a superior officer of the enquiry officer investigated the misconduct there is no likelihood of bias as alleged. Hence the present argument is only to be negated.

7. The learned counsel for the workman brought to the notice of this Tribunal two decisions in support of the above argument. The first authority cited is that of a decision of the High Court of Kerala in V. Abusali v. The Commandant and others [1995 (1) L.R. 547]. In that case the Assistant Commandant was the complainant against the delinquent and the complainant has given evidence also as a witness in the enquiry. The second charge against the delinquent is that

case related to the questioning the authority of the Assistant Commandant and he was the complainant as well. The enquiry officer was an Inspector working under the Assistant Commandant. The High Court considering the circumstances held that the enquiry officer being a subordinate officer to the complainant the entire proceedings relating to enquiry were vitiated. The court further held that in such cases bias is writ large on the face of the enquiry and the penalty was accordingly quashed. The next authority cited is a decision of the High Court of Andhra Pradesh in M. L. E. Kumru V. Divisional Manager, APSRTC and another [1990 (2) LLJ 23]. There also the enquiry was conducted by a subordinate on a complaint made by superior officer and superior officer appeared as a witness in the enquiry. The court held that the enquiry should not have been conducted by the officer who was subordinate to the complainant himself particularly when the superior officer is also a witness in the case. The court held that principle of natural justice is violated. In that case the main point considered was waiver of plea of bias. In the case before me as stated in the above paragraph the superior officer of the enquiry officer is not the complainant. The chargesheet was issued by the Disciplinary Authority which was investigated by another officer who has given evidence in the enquiry. That being the position the above decisions have no application at all here. In such a situation the question of waiver of plea regarding bias also does not arise.

8. The second point pressed into service by the learned for the workman against the enquiry is that the charge memo issued to the workman is very much vague and lacking in material particulars. Therefore the enquiry and the impugned punishment are bad and vitiated. Further argument is that it is not revealed in the chargesheet as to what precisely is the particular charge made against the workman under each of the clauses of misconduct quoted in the chargesheet. It is also pointed out that clause 19.5(J) of First Bipartite settlement which alone is specifically alleged against the workman is by itself vague exposing an area not amenable to objective evaluation thereby rendering itself otoise and any action there under invalid. According to the learned counsel this caused grave prejudice by rendering the workman unable to reasonably meet the charges which is violative of principles of natural justice, illegal and vitiated.

9. It is evident from the explanation submitted by the workman to the chargesheet that he has understand the charges fully and given detailed explanation touching all the aspects enumerated in the charge memo. He has not stated in the explanation that the chargesheet is vague and he could not meet the charges because of the alleged vagueness. Further on the first date of the enquiry dated 17-8-1995 the chargesheet was read over and explained the charges by the enquiry officer and asked the workman whether he admit the charges levelled against him or not. The workman answered that "I understand the charges levelled against me, but I do not admit the charges mentioned in the chargesheet". It is not evident from Ext. M1 enquiry file that the workman ever pointed out during the course of the enquiry that he did not understand the charges levelled against him or that the chargesheet issued to him is vague. After the enquiry and imposition of the punishment the workman filed appeal before the Appellate Authority. In the appeal the workman has exhaustively dealt with the charges levelled against him and nowhere in the Memorandum of Appeal has he averred that he was unable to understand the charges levelled against him on account of vagueness or that he had not been given opportunity to meet the charges. It is thus clear that the present argument alleging vagueness of chargesheet can only be considered as an after thought which is only to be negatived. The present submissions of the learned counsel against the chargesheet are unsustainable and there has been no prejudice of what ever nature caused to the workman on account of the manner in which charges have been framed. There has been no violation of principles of natural justice as alleged. The proceedings based on the chargesheet is not illegal or violated in any manner.

10. According to the learned counsel for the workman clause 19.5(I) of First Bipartite settlement is by itself vague. It is not specifically pointed out or established that this very clause is vague in whatever manner. In the chargesheet the misconduct alleged against the workman and the details are

stated specifically and clearly and then the relevant clause in the Bipartite settlement is mentioned. The workman himself has admitted before the enquiry officer that he understood the charges. For these reasons the argument that clause 19.5(J) by itself is vague and the action taken as per that clause is invalid cannot stand for a moment. In view of the foregoing conclusion the decision of the Supreme Court between Resik Lal Vaghajibhai Patel and Ahmedabad Municipal Corporation and another [1985 (1) LLJ 527] the decision of the High Court of Kerala in Gopalakrishna Prabhu V. Central Bank [1991 (1) KLT 383] relied on by the learned counsel for the workman have no application here according to me because the facts and circumstances involved in those cases are entirely different.

11. No other points have been urged before me by both sides. On going through Ext. M1 file it is evident that the enquiry has been conducted after affording reasonable opportunity to the workman to defend and to establish his case and the findings of the enquiry officer are supported by legal evidence. There are no justifiable circumstances to interfere with the findings of the enquiry officer.

12. For the foregoing discussions, I hold that the domestic enquiry in question has been conducted fully in compliance with principles of natural justice and findings of the enquiry officer are supported by legal evidence. The enquiry is therefore legal, proper and valid.

IV. The only aspect remaining for consideration is regarding the propriety of punishment. The workman was found guilty of the misconduct alleged against him. The crux of the misconduct is that the workman inflated amounts in the stock invest and inflated number of shares besides causing alterations of date by misusing official position for the purpose of getting firm allotment of shares on his own and also acting dishonestly for his benefit. According to the management the misconduct proved is very much grave warranting dismissal from service. It is also pointed on that the management has lost confidence in the employee and the continuance of him in the service will adversely affect the image of the bank in the public and thereby the business. According to the workman the punishment is disproportionate considering the gravity of the misconduct as there was no financial loss to the bank and he has also not made any financial gain.

V. The workman was chargesheeted along with five other employees of the bank in whose name the stock invest were purchased. Though according to the management the other employees were found not guilty of the charges through an investigation, that investigation report is not part of the enquiry report. Such a report if any is not produced before this Tribunal as well. On going through the charges and the evidence of the other employees it is difficult to believe that the other five employees are totally innocent. However they are still continuing in the bank without any action against them. It is also not disputed that the workman has obtained any money on account of the transactions in question. Money was not returned to the work from the companies which allotted the shares. There is absolutely no financial loss to the bank. The workman has also disputed the alterations made in the records of the Bank as it was a mistake according to him and he prayed for mercy of the management. The workman is admittedly the junior most among the other employees who were chargesheeted along with him. It is also noticeable that the workman was only a stenographer and in a bank the post of stenographer cannot be considered as an office of trust. Further the workman has not committed any misconduct earlier and he has an unblemished service to his credit.

VI. As held by the High Court of Kerala in case No. 51, short notes, (1982) 1 T.L.J. short Notes page 33) that the mere assertion of the employee that he has lost confidence in the employer cannot compel the Tribunal to refrain from passing an order of reinstatement. The court has further pointed out that the Tribunal will have to consider whether the employer genuinely feels that it is risky to retain an employee in future or that it is hazardous or prejudicial to the interest of the industry to do so or is it a mere allegation made to send employee out of employment. It is also noticeable that the management has not specifically alleged in the written statement that the management has lost confidence in

the employee. The workman is only a stenographer and the continuance of him in the service of the bank will not prejudicially affect the business particularly on the ground that he is not directly dealing with the public or handling money transaction. It is for the first time that he has committed the misconduct. As held by the High Court of Kerala in paragraph 4 of the decision in Regional Manager, K.F.D.C. V. K. Appu [1991 (1) K.L.J. 27] it is well settled that justice tempered with mercy is an established principle. It is also equally settled, that reformation also has been recognised as a relevant consideration. The court further pointed out that unlimited leniency or unrelated to facts, is justified. On a consideration of the totality of the circumstances involved in the instant case it is necessary and proper in the interest of justice to afford an opportunity to the workman to reform and to prove his honesty to the management Bank. In view of what is stated above and particularly considering the gravity of the misconduct I am of opinion that the punishment of dismissal is excessive and disproportionate and it is a fit case warrenting interference from this Tribunal.

VII. According to the learned counsel for the management the punishment imposed is only commensurate with the gravity of the misconduct and hence the workman is not entitled to any relief in the matter of punishment. It is pointed out that the workman has committed the misconduct as per clause 19.5(j) of the Bipartite settlement and the management has lost confidence in him. It is also contended that his continuance in service will be prejudicial to the interest of the bank. Reliance was also placed on two decisions of the High Court of Kerala and also one decision of the Supreme Court. As held by me above the management has not specifically alleged regarding loss of confidence and that the workman is only a stenographer and not dealing directly with public or handling money transaction. It cannot therefore be said that he was holding a post of trust. Therefore the above argument of the learned counsel for management is unsustainable. The decisions relied on by the learned counsel are quite distinguishable, according to me. The first authority cited is the decision of the High Court of Kerala in Kottarakara Co-operative Urban Bank Ltd. V. Sreenivasan [1990 (2) KLT 845]. That was a case of dismissal from service of a bank employee for tampering with the accounts. The Labour Court ordered reinstatement after finding the enquiry proper and valid. The High Court quashed the order of reinstatement holding that the misconduct proved against the workman is grave. But in that case the misconduct includes disobedience of lawful direction of the Secretary of the Bank, repetition of similar acts even after warnings and punishment and also making several alterations. Further he was holding a post of trust. In the present case the workman was never chargesheeted for any misconduct earlier and he has not made any financial advantage and there was no financial loss to the management bank. Therefore, according to me, this decision is not applicable here. The second authority cited is also of the High Court of Kerala in Regional Manager, KFDC V. K. Appu (Supra). That was also a case of dismissal and the charges include physical assault. There also the Labour Court ordered reinstatement but the High Court set aside the same. It is noticeable that the main charge in that case is physical assault. The charge proved against the workman in this case has no comparison with the charges proved against the workman in the instant case. Therefore this decision has also no bearing to the facts of the present case. The third authority cited is the decision of the Supreme Court in Punjab Diary Development Corporation Ltd. V. Kala Singh (AIR 1997 SC 2661). There, the delinquent was working as a Diary helper-cum-cleaner for collecting the milk from various centres. He was charged for the misconduct that he inflated the quantum of milk supplies in milk centres to the applicant diary corporation and also inflated quality of the fat contents. The workman was dismissed on the main ground that the management has lost confidence in the workman. In that case by the action of the delinquent there was direct loss to the applicant corporation and the delinquent was directly dealing with the public. Therefore the continuance of such an employee will be prejudicial to the management and the management has lost the confidence because of the action of the employee. The facts and circumstances involved in that case and the case before me are not similar or comparable. Therefore, according to me, this decision also will not come to the rescue of the management.

VIII. In view of the finding of guilt the workman cannot be let off without any punishment. He was out of employment since January 1995. The denial of back wages from that period and the mental agony suffered by him and also the opportunity to reform himself would be adequate punishment according to me, for the charges proved against him. It is also necessary to post him in some other branch and not at the same branch where he was working and subject to that he should be directed to be reinstated in service.

IX. In view of what is stated above, I hold that the action of management of Syndicate Bank in imposing the punishment of dismissal from service on Sri Doll Jose, Stenographer with effect from 19-2-1996 is illegal and unjustified and hence he is directed to be reinstated in service without the back wages but with the continuity of service and other attendant benefits

An award is passed in the above terms.

C. N. SASIDHARAN, Industrial Tribunal

#### APPENDIX

Document marked on the side of the Management :

Ext. M1.—File containing, chargesheet, explanation of the workman, enquiry proceedings, statement witnesses, documents and the findings of the enquiry officer.

नई दिल्ली, 8 जून, 1999

का. आ. 1908.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सब डिविजनल ऑफिसर (टेलिकाम) के प्रबन्धतंत्र के संबद्ध नियोजकों और उन कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में श्रौद्धोगिक अधिकरण-I; हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-99 को प्राप्त हुआ था।

[सं. पल-40012/94/95-आई. आर. (अंगूष्ठा)]

वी. एम. डेविड, ईस्क अधिकारी

New Delhi, the 8th June, 1999

S.O. 1908.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal-I, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sub-Divisional Officer (Telecom) and their workman, which was received by the Central Government on 8-6-99.

[No. L-40012/94/95-IR(DU)]

B. M. DAVID, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri C. V. Raghavaiah, B.Sc., B.L., Industrial Tribunal-I.

Dated : 22nd day of April, 1999

INDUSTRIAL DISPUTE NO. 30 OF 1996

## BETWEEN :

Sri S. Hanumanthu C/o Sri Arajamouli,  
Area Secy., All India Telecom Employees  
Union Line Staff, & Group 'D' Employees  
Warangal Area, H. No. 6-1-14, Ashoknagar,  
Karimnagar-505 001. .... Petitioner

And

The S.D.O., Telephone, Jagtial,  
Karimnagar District (AP) 505 001 .... Petitioner

## APPEARANCES :

Sri C. Suryanarayana Advocate for petitioner.

Sri P. Damodar Reddy, Advocate for the Respondent.

## AWARD

The Government of India, Ministry of Labour, New Delhi by its order No. L-40012/94/95-IR(DU) dated : 27-3-1996 referred the following dispute under Section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for Adjudication :

"Whether the action of the management of sub-Divisional Officer (Telecom) Jagtial Karimnagar Dist., in termination of services of Shri S. Hanumanthu is proper legal and justified ? If not, to what relief the workman is entitled ?"

Both parties received the notice. They have approached and filed their pleadings.

2. The averments in the claim statement briefly stated are as follows : The petitioner/workman was recruited and employed by the respondent during the period from March to November, 1986. The 1st work order and M/R number in respect of which the petitioner was employed being JGL-55 and 2/21 respectively. He was employed for 252 days during the above period. In December, 1986 due to non-availability of work he was not employed but in January, 1987 he was employed for 16 days vide work order No. JGL-97/7 and MR. No. 11/46. Thereafter he was retrenched without following the procedure prescribed under Section 25F of I.D. Act and the procedure prescribed by former D.G. P & T New Delhi by its order dated 1-10-84 and that, it has not exhibited the seniority list of casual mazdoors vide Rule 77 of (CD Central) Rules, 1957. Hence, the retrenchment of the petitioner is void ab initio as the respondent continued several workmen after terminating the service of the petitioner. The respondent did not re-engage the petitioner in December 1987 in spite of repeated request. Hence, the petitioner raised the Industrial Dispute. It is contended that the respondent is an 'Industry' as such the petitioner is entitled to raise the dispute under I.D. Act. The petitioner thus prayed that reference may be answered in his favour by holding that his retrenchment from service is void ab initio and directing the respondent to reinstate him into service with all attendant benefits.

3. The respondent filed a counter contending inter alia as follows : According to it the petitioner worked

hardly for 24 days in March, 1986. During the financial year 1986-87 he worked only for 228 days and in the next financial year he worked for 31 days and he never worked continuously but intermittently during the above years, that he was engaged purely on temporary basis as casual labour on daily wage basis. It denied that petitioner was appointed after recruitment as there is no selection or interview for casual labour. It contended that as far as possible local people are engaged by informing them that it is purely ad hoc arrangement. It denied that petitioner was retrenched from service.

It on the other hand contended that petitioner himself deserted the work several years ago being gainfully employed, that as some casual labour were absorbed into the Department the petitioner moved the Asstt. Labour Commissioner (Central) Mancherial after gap of 6 years i.e. on 10-2-94 to gain public employment by backdoor methods. It also contended that the provisions of the I.D. Act are not applicable to the fact of the case as the respondent is not an industry as per the recent decision of Apex Court and further the respondent cannot re-employ the petitioner without media of regular recruitment norms and especially person of petitioner's type who have no interest in the work and abandoned the same long ago. The respondent thus, contended that there is no merit in the reference and prayed for rejecting the same.

4. On the above contentions, my learned predecessor formulated the following point as a preliminary point for consideration after hearing both sides and without evidence on merits of the case :

Whether the Tribunal has got jurisdiction to adjudicate the dispute ?

5. The above point was answered in favour of the respondent by my learned predecessor by the Award dated 30-6-1997 relying on a decision of Apex Court in Sub-Divisional Inspector of post, Vaikam and others vs. Theyyam etc. 1996 LLR Page 4837. Aggrieved by the above award the petitioner filed Writ Petition No. 7987/1998. The Hon'ble High Court by its order dated 31-12-1998. He allowed the same relying on a latest decision of the Apex Court in the case of General Manager Telecom vs. A Srinivasa Rao AIR 1998 SC 656 and remanded the matter for fresh consideration and disposal within two months. Hence I.D. was restored to file.

6. After remand the petitioner-workman besides examining himself as WW1 examined one Sri Venkateswara Rao Cable Splicer Jagtial. Since 1986 as WW2 and one K. Sudhakar Reddy who worked as Sub-Inspector Telegraphs at Jagtial in the year 1980 as WW3 to speak to the fact that petitioner worked under them from March till end of November 1986. The petitioner further filed Ex. W1 to 5 to substantiate his contention besides examining the above two persons. The respondent on the other hand examined Sri V. Rajamouli the present Sub-Divl. Telecom Officer Jagtial as MW1 but not marked any documentary evidence on its behalf.

7. The sole point for consideration is whether the action of the respondent in terminating the service of the petitioner is justified ? If not to what relief he is entitled to ?

8. Point.—The petitioner workman who worked in the respondent Department and said to have been terminated from service in January, 1987, is seeking reinstatement on the ground that his retrenchment from service is void ab initio due to violation of Section 25G of I.D. Act as he worked for more than 240 days during the period from March to November, 1986 which is however repelled by the respondent on the ground that the petitioner who was engaged as casual labour on daily wage basis has himself deserted the work having secured better and gainful employed and he was not retrenched and further he did not work for 240 days continuously.

9. The admitted facts as revealed from the evidence placed on record briefly stated are as follows : The workman Hanumantha Rao who is examined as WW1 worked as casual mazdoor on daily wage basis from March, 1986 to November, 1986 and again in January, 1987 and December 1987. He was engaged for digging pits, erection of poles and drawing of wires. He worked under WW2 for 24 days in March and for 15 days in April, 1986 and under WW3 from the 2nd half of April, 1986 upto the end of November, 1986. According to the petitioner he worked in all from March to November, 1986 and January 1987 for 268 days as per Ex.W1 statement filed by the petitioner while according to WW1 the petitioner worked for 24 days in March, 1986, for 228 days during the financial year 1986-1987 and 31 days in financial year 1987-1988 i.e. for 16 days in January and 15 days in 1987 i.e. in all 273 days intermittantly during the above period. The petitioner was not given order of appointment and termination in writing. The petitioner was not given one month notice or pay in lieu of notice and retrenchment compensation as contemplated under Section 25F of I.D. Act. The petitioner approached the Asstt. Labour Commissioner Central or 10-12-94 by giving original of Ex. W2 representation, conciliation proceedings were held on 20-12-1997, but it ended in failure as per Ex. W3 minutes and Ex. W4 failure report while Ex. W5 is copy of circular dated 7-11-89 issued by the Asst. Director General with regard to grant of temporary status and regularisation of casual labour. It is now beyond controversy in view of latest decision of the Apex Court reported in AIR 1998 SC 658 that Telecom Department is an 'Industry' and I.D. Act is applicable to the workmen employed in it.

10. It is submitted by the learned counsel for the petitioner that the petitioner registered his name in the Employment Exchange Karimnagar, that as per order No. 269/2/168 STB(PL1) dated 29-9-72 of D.G.P & T to the Local Telecom Officers empowered to recruit employment exchange candidates, that accordingly WW2 recruited WW1 as per the instructions of higher authorities, that the respondent has not engaged petitioner after January, 1987 though he rendered service for more than 240 days, that he has not deserted job but was terminated, that to sustain himself the petitioner is working as a cooly as end when work is available and hence the non-engagement of the petitioner amounts to retrenchment within the meaning of Section 2(00) of the I.D. Act and the same is void due to non-compliance with Section 25F of the I.D. Act, as such he is entitled to be reinstated as his juniors Yesupadam and Srinivas are

continued in service. In support of his contention the learned counsel placed reliance on the following decision reported in 1996 LLR 66 Tata Consulting Engineers vs. Valsela Kosain and 1998 LLR 583 State of Rajasthan Vs. Ram Kumar.

11. The learned counsel for the managmnt on the other hand contended that the petitioner was engaged on daily wages as casual labour that he deserted the work after working for some days having secured better job and gainfully employed but not terminated, that the fact that he did not approach ALC for 6 years clearly show that is not interested in the work and came up with the claim as some of casual labour are absorbed as per Ex. W5 and hence it is not a case of retrenchment and petitioner is not entitled to reinstatement as there is no need for additional man power in view of fact that the respondent has adopted modernisation and privatisation and the petitioner is trying to enter Government service by backdoor, contrary to recruitment rules.

12. On a consideration of the evidence placed on record, I am of the view that it is a case of retrenchment and the same is void as Section 25-F of I.D. Act not followed. WW1 deposed that he joined as casual labour in the respondent department in March, 1986 on daily wages of Rs. 9.25 ps and worked for more than 268 days as per Ex.W1 and thereafter he was informed orally not to attend to the work without a signing any reasons, no notice or pay in lieu of notice given and no retrenchment compensation paid, that he was not engaged subsequently inspite of repeated oral request and hence he approached ALC, that the respondent continued his juniors Yesupadam and Srinivas in service, that at present he is going for cooly work and he will have work for 10 days in a month, on daily wages of Rs. 50/- to 60/- and he is not gainfully employed. He denied and that he did not approach authorities for a long time as he is gainfully employed and he worked under WW2 and WW3. His evidence is empty corroborated by WW2 and W3 employees of the respondent. Nothing could be elicited in their cross-examination to discredit their testimony. WW2 stated that he recruited WW1 on the instructions of his superiors.

13. The evidence of WW1 also would show that WW1 joined as casual labour in March, 1986 that the sub-Inspector recruits the mazdoor depending on the work, and that local people registered with Employment Exchange are preferred. He also stated that as to how many days the petitioner worked in March, 1986. Financial years of 1986-87 and 1987-88 and the petitioner was employed even in December, 1987 and thereafter discontinued. He further stated in the chief itself that he cannot say whether the petitioner stopped coming on his own volition or due to lack of work from January, 1988 and approached ALC after 6 years. He also spoke to modernisation in the department as such there is no need for additional man power.

14. Thus, the evidence on record clearly shows that the petitioner worked for more than 240 days prior to January, 1987. There is nothing in MW1's evidence to show that petitioner deserted or abandoned the work. Hence, I am of the view that there is no

merit in the contention of the respondent that petitioner himself stopped attending to work having secured better job, simply because there was delay in approaching ALC it cannot be said that due to gainful appointment he deserted the work in the respondent department. It is curious to note that it is not suggested to WW1 that he deserted the service of the respondent himself. Thus, it is obvious that petitioner was not engaged from January, 1988 after he served for considerable period i.e. 240 days. I, therefore, feel that his non-engagement immediately after completion of 240 days service or on the verge of completion of 240 days amount to retrenchment and it is void for not complying with the provisions of Section 25F. I am unable to accept the contention of the respondent, that after long lapse of time the petitioner is trying to enter into Govt. Service through backdoor in breach of recruitment policy. I feel that simply because the petitioner is presently working as coolly to maintain himself it can not be said that he left respondent service and raised the dispute coming to know about the scheme for regularisation framed by the respondent in the department. In the light of decision of Apex Court, I, therefore, conclude that retrenchment of the petitioner is not justified in the circumstances of the case.

15. The learned counsel or the respondent however strenuously contended that is the petitioner raised dispute after lapse of 6 years by way of approaching ALC under Ex. W2 he is not entitled for reinstatement as the claim became stale and further there is no need for additional man power in view of the fact that computerisation or sophisticated technology introduced in the Department. The learned counsel for the petitioner repelled the same by submitting that before submitting Ex. W2 the petitioner made oral representations to the authorities and the reasons mentioned by the respondent not sufficient to deny reinstatement if the retrenchment is held to be illegal.

16. MW1 has no doubt stated that petitioner did not approach the authority after January, 1988 and he approached ALC only in 1994. WW1 on the other hand deposed that he made oral representations to the authorities before giving Ex. W2 representation to ALC. Admittedly Ex. W2 was given on 10-2-94 while the service of the petitioner was terminated at the end of December, 1987. I am of the view that delay cannot be ground for denying the relief of reinstatement. But as per the decided cases, in case of delay this Tribunal has to grant relief appropriately, having regard to the facts and circumstances of the case. I therefore, feel that having regard to the facts and circumstances of the case that the ends of justice will be better served if back wages are not awarded while ordering reinstatement with continuity of service.

17. Hence, on a consideration of the material placed on record, I have no hesitation to conclude that termination of service of the petitioner is improper and illegal and he is liable to be reinstated into service with continuity of service but without back wages. The point is answered accordingly.

18. In the result, an award is passed holding that the action of the respondent-Management i.e. Subordinate Office (Telecom) Jagtial, Karimnagar in terminating service of WW1 Sri S. Hanumanthu is not justified and that he is entitled to relief of reinstatement with continuity of service but without back wages due to delay of 6 years in raising the dispute.

Written and passed by me this 22nd day of April, 1999.

**C. V. RAGHAVAIAH, Industrial Tribunal-I**  
**Appendix of evidence**

Witness examined for petitioner :

WW1 : S. Hanumanthu  
WW2 : S. Venkateswara Rao  
WW3 : K. Sudhakar Reddy

Witness examined for Respondent

MW1 V. Rajamouli

Documents marked for the petitioner

- Ex. W1 : Xerox copy of the statement of working days particulars of WW1.  
Ex. W2 : Representation dt. 10-2-94 made by WW1 to ALC(C) Mancherial regarding illegal retrenchment from service (Xerox copy).  
Ex. W3 : Minutes of conciliation proceedings held on 20-12-94.  
Ex. W4 : Failure report submitted by ALC, Mancherial on 14-3-95 to the Secretary to Govt. of India Ministry of Labour.  
Ex. W5 : True copy of Xerox copy of the scheme regarding the temporary status to the casual labour, dated 7-11-89.

Documents marked for the respondent.

NIL

नई दिल्ली, 8 जून, 1999

का. आ. 1909.—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार द्वारा डिविजनल आफिसर, टेलिकॉम, एसोनी के प्रबन्धतात्व के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट आंदोलिक विवाद में केन्द्रीय सरकार आंदोलिक अधिकारण, नं. 1, हैदराबाद के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-99 प्राप्त हुआ था।

[म. प्र-40012/111/97-आई. आर. (ई.यू.)]  
बी. एम. डेविल, डेस्क अधिकारी

New Delhi, the 8th June, 1999

S.O. 1909.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of

the Industrial Tribunal-I, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Sub-Divisional Officer, Telecom, Adoni and their workman, which was received by the Central Government on the 8-6-99.

[No. L-40012|111|97-IR(DU)]

B. M. DAVID, Desk Officer,

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

#### PRESENT :

Sri C. V. Raghavaiah, B.Sc., B.L., Judge, E.I. Court.

Dated : 26th day of March, 1999

Industrial Dispute No. 9 of 1998

#### BETWEEN

Sri E. Srinivasulu &/o late E. Govindappa, Ulindakodal, Kurnool Distt. (AP) 518001. . Petitioner.

#### AND

1. The Sub Divl. Officer, Telephones, Adoni.
2. The Divl. Engineer, Maintenance O/o Telecom, Distt. Manager, Kurnool (AP) 518001. Respondents.

#### APPEARANCES :

Sri B.S.A. Satyanarayana, Advocate for the Petitioner.

Sri P. Damodar Reddy, Advocate for the Respondents.

#### AWARD

The Government of India, Ministry of Labour, New Delhi, by the order dated 1996-98 in No. L-40012|111|97-IR(DU) made this reference to this Tribunal under Section 10(1)(d) and Sub-Section 2A of Industrial Disputes Act, for adjudication of the following dispute :—

Whether the management of Sub-Divisional Officer Telecom., Adoni is justified in terminating the services of Shri E. Srinivasulu without following the procedure of retrenchment? If not, to what relief he is entitled?

The above reference was numbered as ID 9|98. On being served with notice both the parties made appearance through their counsel and filed their respective pleadings.

2. The averments in the claim statement filed by the petitioner workman Sri E. Srinivasulu briefly stated are as follows : The petitioner/workman worked as casual Mazdoor under the sub-divisional officer Telecommunication Adoni (Now SDO Phones RI herein) for more than 240 days in 1983 and upto November, 1984 and he in fact worked for more than 500 days till the year 1985. Thereafter

he was disengaged for want of work and was not called again for work. But the management engaged freshers and juniors to him thereafter who are working even to this day. According to the petitioner, the respondent did not follow the procedure laid down under I.D. Act as well as their office circular dt. 1-10-1984 but orally disengaged the petitioner. He was not engaged inspite of repeated requests. The telecom Directorate formulated a scheme for conferment of temporary status and regularisation subsequently. According to them all the casual mazdoors who were on rolls upto 31-3-1985 are eligible to be considered for conferment of temporary status and regularisation and the said scheme came into effect from 1-10-1989 by which time the petitioner was disengaged. He has thus contended that he is entitled to be engaged and conferred temporary status.

The petitioner thus prayed that the respondents may be directed to reinstate him into service (i.e. engage him) with continuity of service and all other consequential benefits as his juniors are being continued and he could not approach the court earlier due to poverty and unemployment.

3. The respondents filed a common written statement resisting the claim of the petitioner. They contended that as the service of the petitioner was not terminated no industrial dispute arose and hence the reference is bad in law. They contended that the petitioner was engaged as casual/contingent labour purely on work basis i.e. depending on the availability of work that he was paid contingent daily wages and he worked in all for 500 days during 1983 to 1985 and in March, 1985 he discontinued on his own accord by not attending to duties thereafter. They thus denied that the petitioner was disengaged by an oral order. They further contended that after lapse of 11 years the workman has come up with the dispute as such the claim has become stale and as the petitioner is not having continuous service the question of granting temporary status does not arise. They also contended that as the petitioner was not appointed and as he did not turn up for duty since 1985 on his own accord, the question of reinstatement, continuity of service, conferment of temporary status and retrenchment does not arise. It is also contended that due to introduction of Electronic Exchange and computers and as there is ban on engagement of casual mazdoors, the respondent reduced manpower sufficiently and for this reason also the petitioner is not entitled to the relief. It finally contended that as the petitioner himself deserted the work in March, 1985 he cannot claim back the employment after lapse of 11 years. They thus prayed that reference may be rejected as there are no merits in the claim of the petitioner.

4. On the above contentions, the following point arise for consideration :

"Whether the petitioner is entitled for employment with continuity of service and for conferment of temporary status having been terminated from service in March 1985 without following the provisions of Section 25F of I.D. Act?"

5. The petitioner examined himself as WW1. No oral or documentary evidence adduced on behalf of the respondents.

6. POINT : The petitioner who was said to have worked for about 500 days during the year 1983 to 1995 March under R1 as casual mazdoor and disengaged thereafter, is seeking re-employment without back wages but with continuity of service on the ground that respondent did not engage his subsequent to March 1985 while they took fresh candidates and continued his juniors, even though he is entitled for conferment of temporary status as per the scheme framed by the directorate Telecom with effect from 1-10-1989. It is contended on behalf of petitioner that termination of service of petitioner from 1985 after working for 500 days without compliance of mandatory provisions of Section 25F is illegal and arbitrary as such he is entitled to above reliefs. The respondents on the other hand contended that he is not entitled to any relief as he deserted duty since 1985, that he was neither appointed nor terminated from service but engaged as casual/contingent labour depending on availability of work on daily wages as such there is no question of retrenchment and failure to follow the procedure laid down under I.D. Act.

7. The pleadings as well as the evidence placed on record i.e. WW1 clearly shows that petitioner was engaged from the year 1983 to March, 1985 and thereafter disengaged by the respondents, that he was engaged for digging pits and drawing telephone lines besides cable work as casual labour on daily wage basis, that he was engaged as and when there was work intermittently and that he was not having work daily. Thus it is obvious that he was engaged and disengaged depending upon the availability of work which is of temporary nature. There can also be no doubt that the petitioner worked in all for 500 days i.e. for 293 days from April, 1983 to March, 1984 and for 207 days from April, 1984 to March, 1985 as mentioned in the Annexure attached to the written statement filed by the respondents. It is beyond dispute that he was not given one month notice or wage in lieu of notice or retrenchment compensation as required under Section 25F of I.D. Act. Though the petitioner claimed and deposed that he worked for some period at Kurnool in the year 1986 the same is doubtful as there is no such avrment in the claim statement. On the other hand it is specifically mentioned that he is not engaged subsequent to March 1985 inspite of repeated requests. It is also beyond dispute that neither order of appointment nor order of termination given to the petitioner but he was disengaged as per his own showing from March, 1985. May be due to non-availability of work as asserted by the respondents and as per own showing of the petitioner also he is being engaged from time to time depending upon the availability of work. It has also come out in the evidence of petitioner that telecommunication department is modernised with introduction of electronics and computer. It is therefore probable as contended by the respondents that for the said reason the manpower is reduced. It is also possible that petitioner was not engaged subsequent to 1985 due to desertion as pleaded by the respondents. The fact that he did not seek for reinstatement for 13 years would strengthen the above inference.

8. Hence from the evidence placed on record it can be safely concluded that it is a case of discharge simplicitor but not termination of service as the petitioner's engagement and disengagement depended upon availability of work which is surely of temporary nature. It is well-settled that discharge simplicitor does not amount to 'retrenchment'. It is equally settled law that unless the termination is actuated by motive or victimisation or unlabour practice, it will not amount to retrenchment and though all retrenchment are terminations but all termination of service may not be retrenchment. There can be no doubt that termination of service of workman as measure of retrenchment without complying the requirement of Section 25F of I.D. Act is illegal ab initio and in such cases the workman is entitled to reinstatement with all attendant benefits.

9. The learned counsel for the petitioner has however contended that the fact the petitioner was disengaged on the verge of completing 240 days of service in calender year of 12 months preceding the date of disengagement would show that the action of the respondent is an unfair labour practice as such the termination of service or his disengagement amounts to retrenchment within the meaning of Section 2(oo) of the I.D. Act. In support of above contention reliance is placed on a decision in Kapurthale Central Co-operative Bank Ltd., Kapurti and Presiding Officer, Labour Court, Jallunder (1984 LAB IC 974) which is however repelled by the learned counsel for the respondents.

10. On a careful perusal of the above ruling I have no hesitation to hold that it is not applicable to the facts of the case though there can be no quarrel with regard to principle of law laid down therein. The facts of the case would show that on the instructions of the Registrar Co-operative Society the services of temporary employees was terminated by the Bank though there is need to continue them but freshers are engaged, just to stall the workmen completing 240 days. The 3 workmen in that case are terminated after they worked 230 days. The facts of the instant case are otherwise. The petitioner was engaged for 233 days in the year 1983-1984 and for 207 days in the year 1984-1985 i.e. depending upon the availability of work. Though the petitioner deposed that freshers are engaged in his place, no evidence worthmentioning is placed on record in proof of said fact. Thus it is not case of terminating service even though there was need to continue just at the verge of completion of 240 days so the petitioner can be deemed to have completed one year's of continuous service as per Section 25(B)(2)(b) of I.D. Act. I therefore feel that disengagement of petitioner in March, 1985 even if the version of the respondents that he deserted the duty thereafter is not accepted, would not amount to unfair labour practice as his engagement depend on the need of the work but on regular basis but as casual and contingent labour on daily wages. Hence I negative this contention of the petitioner.

11. Hence I am of the view that disengagement of petitioners from March, 1985 would not amount to retrenchment even it is assumed that it is a case of termination of service as the same is not actuated

by motive or victimisation or unlabour practice as it is not the case of the petitioner, as it is not a case of retrenchment the question of non-compliance of the provision of Section 25F of I.D. Act does not arise. Admittedly the petitioner did not work for 240 days in a calendar year of 12 months preceding the date of disengagement as could be seen from the statement attached to the written statement even if the period for which he worked in the year 1983-84 is also taken. I feel that his disengagement having regard to the facts and circumstances of the case especially the pleading of the petitioner, would only amount to discharge simplicitor. Even if it is assumed that the petitioner worked for 240 days within the meaning of the continuous service as defined under Section 25(B)(2)(b). I feel that he is not entitled to relief of reinstatement or re-engagement, as his engagement on casual basis does not confer any entitlement for appointment on regular basis or confer status of temporary employee and hence his disengagement cannot be said to be arbitrary and retrenchment. In case of such workman there is no need to comply with section 25-F of I.D. Act. This view of mine is fortified by a decision of Apex Court in Himenth Kumar Vidyarthi vs. State of Bihar 1997 (4) SC 391. Hence I feel that the petitioner is not entitled to any of the reliefs sought for in view of above authority and having regard to facts of the case.

12. I am also of the view that petitioner is not entitled to any of the above relief for the following reasons also i.e. due to the fact that claim became stale as rightly contended by the learned counsel for the respondent on the ground of petitioner did not approach the Labour Department till 1996 and there is no acceptable evidence on record to show that he approached the authorities at any time between 1985 to 1996 and as the delay was not properly explained.

13. Admittedly the petitioner was disengaged in March, 1985. He approached the Labour Commissioner for the 1st time on 2-8-91 i.e. after long lapse of time i.e. 11 years after disengagement. Though petitioner asserted that he has been approaching and making representations to the respondents from time to time, before he approached Labour Commissioners no proof is placed on record in support of above assertion except his self servicing statement and held statement in the petition. The other reason given by him for the delay is poverty, and unemployment. I am of the view that this abnormal delay in raising the dispute is not explained properly and the reason given by him are made believe to cover up the delay. I therefore feel that the claim became stale. It has been held in the case of Dehri Rohteds Light Railway Co. vs. District Board Bhojpur (1992 II SC 598) by the Apex Court that if a party sleeps over his right for a long time he cannot be granted relief of reinstatement as it will affect the right accrued to another person. Similar view was taken by the High Court of Punjab and Haryana in the case of Karnal Central Co-operative Bank Ltd. vs. Presiding Officer, Industrial Tribunal-cum-Labour Court Rohtak (1999 LAB IC 280). The facts of the said case would show that dispute was raised after lapse of 10 years is in the present case.

14. I therefore feel having regard to above authorities that the petitioner is not entitled to relief of reinstatement with continuity of service and other consequential benefits, though claim for back wages was given up during the course of enquiry, as the claim became stale due to abnormal delay for which sufficient cause is not shown and as granting of above relief would effect the right of other person if engaged depending on the need of work subsequently as the petitioner kept silent for pretty long time. I am of the view that to take advantage of scheme of the year 1989 as per which persons who are on rolls till the end of March, 1985, the petitioner came up with this belated claim though he was not on rolls till end of March, 1985 and the authorities could not have disengage him to deny the benefit of above scheme as it might not have been contemplated by them.

15. I therefore conclude in view of the above discussion and for the foregoing reasons, it cannot be said that the action of the respondent in not engaging or terminating the services of the petitioner from March, 1985 is not justified as his engagement and disengagement depended upon the need of the work which is purely of temporary nature. The point is hence answered against the petitioner by holding that the respondents are justified in disengaging the petitioner from March, 1985, that his disengagement would not amount to retrenchment and even if it amounts to retrenchment it is not illegal as Section 25F of I.D. Act is not attracted as he being a casual and daily wage earner engaged according to the need of the work.

16. In the result the award is passed by holding that the action of the respondents in not engaging or terminating the services of the petitioner Srinivasulu from April, 1985 is justified and he is not entitled to any relief under this reference. The reference is answered accordingly. The parties to bear their own costs.

Written and passed by me this 26th day of March, 1999.

C. V. RAGHAVAIAH, Industrial Tribunal—I  
Appendix of Evidence

Witness Examined for petitioner/Workman :—  
WW1 : E. Srinivasulu.

Witness examined for respondent/management :—NIL.

No documents marked on either side.

नई दिल्ली, 9 अू०, 1999

का. आ. 1910 —श्रीदेविक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विशाखापट्टनम पोर्ट ट्रस्ट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अन्तर्भूत में निर्दिष्ट श्रीदेविक विवाद में केन्द्रीय सरकार श्रीदेविक अधिकारण, विशाखापट्टनम के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-6-99 को प्राप्त हुआ था।

[म. एन-34011/3/90-आई. प्रार. (विविध)]

श्री. एग. डेविड, ईक्स प्रिवेट

New Delhi, the 9th June, 1999

S.O. 1910.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Visakhapatnam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Visakhapatnam Port Trust and their workman, which was received by the Central Government on 9-6-1999.

[No. I-34011/3/90-IR (Misc.)]  
B. M. DAVID, Desk Officer

#### ANNEXURE

#### IN THE COURT OF INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT VISAKHAPATNAM

PRESENT :

Smt. G. Jaishree, B.Sc., LL.M., Chairman and Presiding Officer.

Friday, the 8th day of December, 1995

I. T. L. D. No. 9/92 (Central)

#### BETWEEN

The General Secretary,  
Port and Dock Employees Association,  
Rama Padma Nilayam,  
D. No. 14-25-32-A (Upstairs),  
Dandu Bazar, Maheranipota,  
Visakhapatnam-530001 . . Workmen

#### AND

The Chairman,  
Visakhapatnam Port Trust,  
Visakhapatnam-530001 . . Management

This dispute coming on for final hearing before me in the presence of petitioner in person and the management in person, upon hearing the arguments of both sides and the court passed the following :

#### AWARD

1. The reference is made by the Government of India, of an industrial dispute existing between the management of Visakhapatnam Port Trust and Their workmen in the following terms :

"Whether the action of the management of Visakhapatnam Port Trust in not paying subsistence allowance at the rate of 75% of pay and allowances admissible to Sri M. Kameswara Rao, Operator, Gr. II HOC from and after the expiry of three months period of his suspension is justified ? If not, to what relief the said workman is entitled ?"

2. Claim statement is filed by the workers union stating that the workman Sri M. Kameswara Rao was placed under suspension with effect from 26-5-87 and he was granted 50% of his pay as subsistence allowance for the first 3 months and thereafter for the next 3 months from 26-8-87 to 26-11-87, he was paid 60% of the pay though he was entitled to receive 75%. It is further stated that from 26-11-87, he was granted 70% of the pay as subsistence allowance instead of 75%. It is pleaded that as per Fundamental Rule 53 after expiry of the 3 months, the subsistence allowance is to be increased by a suitable amount not exceeding 50% of the left over pay, if the suspension has been prolonged beyond 3 months if the reasons are not directly attributable to the workmen. It is stated that the workman was placed under suspension basing on the complaint made by the police without issuing any charge sheet or contemplating any disciplinary proceedings against the workman. It is stated that without ascertaining the reasons for the delay and without giving reasons in writing the management deprived him of the subsistence allowance to the extent of 75% without exercising the discretion properly.

3. In the counter filed by the management it is stated that the workmen was placed under suspension on a report dated 25-5-87 received from the sub-inspector of police, Law

and Order, III Town Police Station Visakhapatnam informing that he was involved in a criminal case for the alleged offence of having harrassed his sister-in-law for which she committed suicide on 13-3-86 and a charge sheet was filed against him. It is admitted that he was paid subsistence allowance at 50% for the first three months and at 60% for the next 3 months for the first three months and at 60% for the next 3 months and at 70% after expiry of 6 months. But it is pleaded that the F.R. 53 the competent authority has discretion to enhance or reduce the subsistence allowance after the period of 3 months and the workman was paid subsistence allowance at the above rates using the discretion. It is prayed that the claim may be rejected.

4. No oral evidence is adduced by either side. No documents are marked for the workman but exhibits M-1 to M-6 are marked by the management by consent. Heard arguments of both sides.

5. The points for consideration are :

- (1) Whether the management is justified in not paying subsistence allowance @ 75% of pay and allowances to the workmen after expiry of 3 months period of his suspension ?
- (2) To what relief the workman is entitled ?

6. Point No 1—The admitted facts are that the workman was placed under suspension with effect from 26-5-87 under Ex. M-1 on the ground that he was involved in a criminal case of harassing his sister-in-law who committed suicide. Under Ex. M-2 he was granted 50% of pay and allowance as subsistence allowance. After the expiry of 3 months this subsistence allowance was increased by 10% from 26-5-87 vide Ex. M-3. Again after the expiry of 6 months from the date of suspension it was again increased by 10% with effect from 26-11-87 vide Ex. M-4. Under Ex. M-5 dated 8-9-88 the suspension order is revoked and under Ex. M-6 dated 19-9-88, the period of suspension from 26-5-88 to 8-9-88 is treated as on duty for all purposes including pay and allowances.

7. The contention of the workman is that under the FR 53 by which the payment of subsistence allowance is governed, he is entitled to 50% of pay and allowances as subsistence allowance and thereafter at 75%, if the delay is not attributable directly to him. Admittedly, the management did not pay the subsistence allowance at 75% after the expiry of 3 months from the date of suspension. But it paid @ 60% for the period of 3 months from 4th month to 6th month and thereafter at 70%. The management justified non-payment of subsistence allowance @ 75% after expiry of the first three months, on the ground that it has discretionary powers under F.R. 53 to increase or decrease the quantum of subsistence allowance and using the discretionary powers it has increased the same by 10% for the 2nd 3 months and reviewed the same and again increased it by 10% making at 70% after the expiry of 6 months and there is no justification in the claim of the workman. A perusal of FR 53 shows that under clause (2)(1), the amount of subsistence allowance may be increased by suitable amount not exceeding 50% of the subsistence allowance admissible during the period of first 3 months, if in the opinion of the competent authority the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the workman. Thus, this rule envisages assessment of the suitable by the authority where the period of suspension has been prolonged beyond three months and see whether the delay is directly attributable to the workman and if it is not directly attributable to him, the subsistence allowance is to be increased to a maximum of 50% of the same admissible during the first 3 months i.e. it may be increased upto 75% of the pay and allowances. Further, the authority is required to record the reasons in writing while reviewing the quantum of subsistence allowance after the expiry of the first 3 months. The management has placed before me the note dated 21-8-87 put-up for the review of subsistence allowance by 10% after expiry of 3 months stating the same to be confidential. On the back side of this note, a note was put up recommending 10% increase and the same does not contain any reasons for increasing by 10% only instead of 25% maximum, when the workman is not at all responsible for the delay in the court proceedings against him. No reasons are recorded while the workman is deprived of 75% of pay and allowances when he is not at all responsible for the delay. The management is only taking shelter under the discretionary powers vested under F.R. 53 but these discretionary powers are to



नई दिल्ली, 9 जून, 1999

का. आ. 1912.—श्रीद्वयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार विश्वामित्र ग्राफाइट माइन्स विहार स्टेट मिनरल इंजिनियर्स मेनेजमेंट कार्पोरेशन लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में विनियोजित श्रीद्वयोगिक विवाद में केन्द्रीय सरकार श्रीद्वयोगिक अधिकरण, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-6-99 को प्राप्त हुआ था।

[सं. एल-29011/50/87-डी-III (बी)]

श्री. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th June, 1999

S.O. 1912.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bishrampur Graphite Mines of Bihar State Mineral Dev. Corp. Ltd., and their workman, which was received by the Central Government on 9-6-99.

[No. L-29011/50/87-D-III(B)]

B. M. DAVID, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 64 OF 1988

#### PARTIES :

Employers in relation to the management of Bishrampur Graphite Mines of Bihar State Mineral Dev. Corp. Ltd. and their workmen.

#### APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : None.

STATE : Bihar INDUSTRY : Graphite Mines

Dated, Dhanbad, the 24th May, 1999

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-29011/50/87-D.III(B), dated, the 4th April, 1988.

1832 GI/99—33.

#### SCHEDULE

"Whether the action of the management of Bishrampur Graphite Mines of M/s. Bihar State Mineral Development Corporation Ltd. in dismissing S|Shri Mathura Mahto, Muneshar Ram, Deokinandan Mahto, Bhajan Mochi, Sohar Mochi, Biseswar Sao and Munarik Ram from service is justified ? If not, to what relief the workmen concerned are entitled to ?"

2. In this reference only the workman side appeared and filed their W. S. as back as in the year 1989. Thereafter the workman side and the management side abstained from appearing before this Tribunal and taking any steps. The reference is pending since 1988 and it is of no use to drag the same any more. Under such circumstances, a 'No dispute Award' is being rendered and the reference is disposed of on no dispute Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 10 जून, 1999

का. आ. 1913.—श्रीद्वयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में विनियोजित श्रीद्वयोगिक विवाद में केन्द्रीय सरकार श्रीद्वयोगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-99 को प्राप्त हुआ था।

[सं. एल-32011/1/92-आई.आर. (विषेध)]

श्री. एम. डेविड, डैस्क अधिकारी

New Delhi, the 10th June, 1999

S.O. 1913.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management Calcutta Port Trust and their workman, which was received by the Central Government on 10-6-99.

[No. L-32011/1/92-IR(Misc.)]

B. M. DAVID, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 59 of 1992

#### PARTIES:

Employers in relation to the management of Calcutta Port Trust.

AND,

Their workmen

## PRESENT:

Mr. Justice A. K. Chakravarty... Presiding Officer

## APPEARANCE:

On behalf of Management—Mr. G. Mukhopadhyay, Senior Labour Officer (Industrial Relations).

On behalf of Workmen—Mr. S. Chatterjee Joint secretary of the Calcutta Port & Shore Mazdoor Union.

Mr. T. B. Roy, Vice President of the Calcutta Port Shramik Union.

STATE : West Bengal. INDUSTRY : Port & Dock.

## AWARD

By Order No. L-32011/1/92-IR(Misc.) dated 12-11-92 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Calcutta Port Trust, Calcutta in refusing to declare the result of oral examination and to fill in the vacancies of the Shed Clerks Gr. II in Traffic Dept. from among the successful candidates of Class-IV staff of various departments of CPT as per circular dated 20-2-1990 issued by the Traffic Manager, Calcutta Port Trust is justified or not? If not, to what relief the concerned workmen are entitled?"

2. Calcutta Port & Shore Mazdoor Union, which is the sponsoring union, filed a written statement alleging, inter alia, that on 20th February 1990 the Traffic Manager, Calcutta Port Trust (in short the CPT) issued circular to all heads of departments inviting applications from willing Class-IV employees having required qualification for filling up the vacancies of Shed Clerk Grade-II. About 900 employees of different departments expressed their willingness for selection to the said post. Written and oral tests thereafter was conducted by the management, but it neither published the result nor filled up the vacancies. The sponsoring union accordingly raised an industrial dispute in the matter which culminated in the present reference. The union accordingly prays for issuing necessary direction upon the management for publication of the final list of successful candidates and to absorb them in the post of Shed Clerk Grade-II.

3. An application by the Calcutta Port Shramik Union having been made before this Tribunal for adding it as a party, the prayer was allowed and it submitted the written statement alleging inter alia that it was decided in the group operational meeting held on 15-2-1990 with the Traffic Manager, CPT and the Chairman that the vacancies of Shed Clerk Grade-II in the scale of Rs. 1165-1935 in the Traffic Department would be filled up by giving promotion from amongst the Class-IV employees of all the departments under the CPT. Pursuant to the said decision Traffic Manager issued a circular dated 20-2-1990 to all heads of the departments of the CPT requesting

them to circulate the circular amongst the eligible Class-IV employees of their department and to forward the applications received from such employees to the Traffic Manager with the particulars as asked for therein. About 300 Class-IV employees of the various departments of the CPT applied in response to that circular. They were directed to appear in a written examination which was held on 26-5-1990. Out of 300 candidate 129 candidates were declared qualified in the written test and they were called for an interview. Even after completion of such interview, the management of the CPT has neither formed the panel nor has published the same. The workmen who had appeared in the interview apprehended foul play and came to know that attempts are being made for filling up the vacancies from other sources. They accordingly raised objection before the management, but such objections having gone unheeded, they referred the matter to the union which raised this dispute. The union has accordingly prayed for filling up of the vacancies of the Shed Clerk Grade-II in the Traffic Dept. from amongst the successful candidates of the Class-IV employees.

4. The management of the Calcutta Port Trust filed written statement alleging, inter alia, that with the gradual fall of the total volume of cargo handled in the Calcutta Port and Dock system along with the advent of modernised cargo handling technology, the management of the Calcutta Port Trust had to reduce actual requirement of employees including Shed Clerk Grade-II under the Traffic Department. On the basis of a rough assessment it was decided in 1990 that some posts of Shed Clerk Grade-II might be required to be filled up in future and with a view to avoid delay it was decided to invite applications from the Class-IV employees of all the departments of the CPT who might be considered for the post of Shed Clerk Grade-II after qualifying themselves in the test. From amongst the large number of Class-IV employees submitting their applications, 315 eligible candidates were allowed to appear in the written test, 129 candidates were successful in the written test and they were called for in the interview. In the meantime an power assessment was made by the management and it was decided to keep the process of forming of a panel of successful candidates for recruitment to the post of Shed Clerk Grade-II in abeyance. Accordingly the panel of successful candidates was not published and no further action was taken by the management to fill up those vacancies in the Traffic Department. It is alleged that by such action of the management none of the employees who applied for the post will be adversely prejudiced as the terms and conditions of their service remain unimpaired. It is also claimed that it is the prerogative of the management for deciding whether it will fill up any particular post or not. It is further alleged that appearance in a competitive examination and inclusion in the list of successful candidates does not give an employee any right to claim the post. The management has denied the allegation that it had any intention to recruit men from outside to fill up those posts. Management has further alleged that it has, acted within its right by not publishing the result of the tests and not filling up those vacancies. Management accordingly prayed for rejection of the claims of the unions.

5. Both the unions have filed two separate rejoinders denying the alleged fall in the handling of the total volume of cargo in the Calcutta Dock System or introduction of modern technology, calling for reduction of the labour force. It is alleged that the management upon assessment of the volume of work in the Traffic Department issued circular on 20-2-90 for filling up the vacancies of Shed Clerk Grade-II after holding written and oral examinations of the candidates. The management has acted beyond its right by not publishing the panel of successful candidates and not filling up those vacancies. It is further alleged that the Class-IV employees who have appeared in the examinations had every right to know the result and the management has no right to withhold the same. It is also alleged that due opportunity to the promotion of staff of Traffic Department as well as other department have been curtailed to a great extent due to non-hiring of higher posts by the management whimsically and arbitrarily. The rest of the allegations are repetitions of what the unions alleged in their written statements.

6. Heard Mr. Mukhopadhyay, representative of the management and Mr. S. Chatterjee, representative of the sponsoring union and Mr. T. B. Roy, representative of the added union.

7. The parties have produced few documents in support of their respective cases. Two witnesses were examined on behalf of the unions. Management also examined one witness.

8. Facts are all admitted in this case. The Traffic Manager of the CPT issued one circular dated 20-2-90 vide Ext. W-1 inviting applications from all eligible Class-IV employees of all the departments for filling up certain vacancies in the cadre of Shed Clerk Grade-II of shipping outdoor unit of the Traffic Department. Admittedly, from among about 900 applications received by the management from its Class-IV employees it selected about 315 employees for appearing in the written test. It is also not denied that out of these 315 employees 129 were found suitable and on the direction of the management they appeared in the oral test. WW-1 and WW-2 are two of such candidates who appeared in the written examination and oral examination. It is also an admitted fact that the management have neither declared the results nor appointed any of the successful candidates to the vacant posts of Shed Clerk Grade-II.

9. Mr. Mukhopadhyay, representative of the management made some irrelevant submissions in justification of the above action of the management. Referring to the evidence of MW-1, Mihir Kanti Das, Deputy Manager, Traffic he submitted that Dasgupta Tribunal's Award does not favour such appointment and accordingly no such appointment was made. This point was not taken in the written statement of the management. He, however, did not press this point at the time of argument. Mr. Mukhopadhyay's second submission is that it is within the exclusive prerogatives of the management to decide whether a particular post will be filled up or not. There cannot be any dispute in this matter,

but the right of the management can certainly be challenged once it declared such vacancy and took steps for filling up the same. It was thirdly submitted that the workmen have no reason to make any grievance in this matter as the benefits available to them in terms of their service conditions shall not in any way be affected because of the decision of the management in the matter. It is not at all relevant for consideration in this matter whether the existing service conditions of the Class-IV employees who appeared in the test will remain intact or not. No such irrelevant plea can be allowed to be agitated by the management in support of its action in not publishing the result of the examination and filling up the vacancies.

10. By issuing the circular dated 20-2-1990 by which applications were invited from Class-IV employees for appointment to the post of Shed Clerk Grade-II the management created an obligation to the applicants in general for filling up those posts. It may be that the existence of those persons who will be ultimately appointed for those posts could not be ascertained at that stage but each one of the applicant had a right for consideration unless he is eliminated from the arena. The management also having taking actions in discharge of the aforesaid obligation by initial elimination of about 600 candidates and holding written test in respect of about 300 of them and thereafter again holding viva-voce in respect of 129 of the successful candidates, cannot have any right to deny such obligation vis-a-vis those employees who had appeared in the viva-voce. As a matter of fact I find from record that no circular was issued by the management cancelling the circular issued by it on 20-2-1990. Unless that circular is cancelled by a specific circular, the obligation of the management to work in accordance with that circular remains. My attention was drawn to Ext. M-5 which is a note of the Deputy Chairman, C. A. Samal. Nothing will appear from the note that he has directed cancellation of the circular dated 20-2-1990. It will not also appear from this document that any order was passed for withholding the result of the examination. It is merely stated that filling up of the posts of Shed Clerk Grade-II was not desirable at the moment since there is scope for reducing total number of Shed Clerks. From the evidence of MW-1 it will appear that no order was issued at any point of time for cancellation of the circular Ext. W-1, nor there was any order directing the further work after the interview is to be stopped. The witness also could not say why the result of the examination was not published for about one year and five months before the order in the note sheet by the Deputy Chairman was passed. He also admitted that there is nothing in Ext. M-5 prohibiting appointment in Shed Clerk Grade-II specifically. He also stated that Ext. M-5 was directed to be kept in the file. No formal order either for filling up of the vacancies or for cancelling the appointment as a result of the examination and test was received by the Traffic Department. The private note of the Deputy Chairman, therefore, cannot be a substitute for the circular and the initial obligation of the management to fill-up the vacancies of the Shed Clerk Grade-II on the basis of the results of the examination remained unaltered and undischarged. In the absence of any specific order regarding cancellation of the circular dated 20-2-1990

and also in the order regarding stoppage of any further proceeding in connection with that circular, the management was bound to proceed in accordance with the circular. Even assuming that the management had taken steps for cancellation of the circular and all further proceeding in connection with that circular, still then, it was not entitled to do so as after creation of a right in favour of some of the workmen, i.e. those who will be finally selected. The management cannot take away such right.

11. Mr. Mukhopadhyay referred to the case of H. R. Tindwani v. Manager, Reserve Bank of India, Ahmedabad, reported in 1984(H)LLJ 375 where it was held by the Hon'ble Gujarat High Court that completion of the pre-recruitment formalities does not vest any right for appointment in the said post. It was held that the employer is not bound by promissory estoppel to give appointment. This decision has no application to the facts of this case as in that case the right of a person complying pre-recruitment formalities came up for consideration. The present case, however, being concerned with filling-up of certain vacancies from the result of the examination, the employer will be estopped from ignoring or refusing to act upon its commitment for appointment as a result of the examination. Mr. Roy, representative of the union drew my attention to the case of P. Sinha Roy v. Hon'ble C. J. Cal. H.C., reported in 1996(2) C.H.N. 497 where the Hon'ble Calcutta High Court relying upon the decision of the Hon'ble Supreme Court of India in the case of R. S. Mittal v. Union of India, reported in JT 1995(3) SC at pages 417 held that "while a person selected may not have a vested right to be appointed, he does have a right to be considered for appointment and the Government was unjustified in remaining inactive in not making the appointment in the vacancy which could have been offered to him." The management in refusing to select persons for appointment after the tests has encroached upon the rights of the workmen to be considered for such appointment.

12. I have thus carefully considered the facts, circumstances, evidence on record as well as the position of law in this matter. The action of the management in not working in accordance with the circular dated 20-2-1990 by abruptly stopping all follow-up actions after holding of the oral test was arbitrary and illegal. The management is accordingly directed to proceed to take further action in accordance with the circular by preparing a panel of successful candidates and appointing them in the available vacancies of Shed Clerk Grade-II.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer.

Dated, Calcutta,

The 3rd June, 1999.

नई विल्ली, 10 जून, 1999

का.पा. 1914-श्रीष्टोगिक विवाद अधिनियम, 1947  
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रिप्लेय एंड कॉ.लि. (2) कलकत्ता मेराइन हंजीनियरिंग (प्रा.) सि. के प्रबंधताव के संबद्ध नियोजकों

और उनके कर्मकारों के बीच, अनुबंध में निर्धिष्ट श्रीष्टोगिक विवाद में केन्द्रीय सरकार श्रीष्टोगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-99 को प्राप्त हुआ था।

[सं. एल-32011/1/97-आई.आर. (विवाद)]

मी.एम. डेविड, डैस्क अधिकारी

New Delhi, the 10th June, 1999

S.O. 1914.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Replay & Co. Ltd., (2) Calcutta Marine Engg. (P) Ltd., and their workman, which was received by the Central Government on 10-6-99.

[No. L-32011/1/97-IR(Misc)]

B. M. DAVID, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 25 of 1997

Parties :

Employers in relation to the management of M/s. Replay & Co. Ltd., (2) Calcutta Marine Engg. (P) Ltd.

AND

Their workmen

Present :

Mr. Justice A. K. Chakravarty, Presiding Officer.

Appearance :

On behalf of Management : Mr. D. K. Mukhopadhyay, Advocate.

On behalf of Workmen : Mr. S. S. Chowdhury, Advocate.

#### STATE : West Bengal INDUSTRY : Port & Dock AWARD

By Order No. L-32011/1/97-IR(Misc.) dated 30-6-97 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following disputes to this Tribunal for adjudication :

"Whether the following demands of Haldia Dock Complex Contractors' workers and C.M.E. and Replay Dumper Workers Union is justified ? If so, to what relief the workers are entitled to?

- (1) Payment of wages to Dumper operators, Dozer Operator, Mechanics, Telex Operator, C. P. Operator, Khalasies etc. at par with wages and other allowances of corres-

ponding categories of Port & Dock Workers fixed under tripartite settlement.

- (2) Reinstatement with full back wages of 290 workers (a list showing names etc. of such workers are enclosed and marked as Annexure-U-II) whose services were terminated by the employers.
- (3) Payment of dust allowance @ Rs. 200/- per worker per month, provision of woollen uniform, cotton uniform to all the workers.
- (4) Payment of unpaid wages for the period 1-1-97 to 17-1-97 to the concerned workers.
- (5) Provision of permanent gate-pass, identity card, appointment letter to all the workers and also insurance for all the workers.
- (6) Provision of safety boot and safety helmet to all the workers."

2. When the case is called out today, none appears for the sponsoring union even though the learned Advocate for both the managements is ready. It appears from record that the sponsoring union is not taking interest in the matter for long time. It is therefore clear that the sponsoring union is no longer interested in proceeding further in this case.

3. In the aforesaid circumstances, in the absence of any evidence what-so-ever for any decision in respect of the schedule under reference, this Tribunal has no other alternative but to dispose of the matter by passing a "No Dispute" Award.

4. The reference is thus disposed of by passing a "No Dispute" Award.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer  
Dated, Calcutta,

The 31st May, 1999.

नई दिल्ली, 10 जून, 1999

का.आ. 1915—श्रीद्वयिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता डोक लेबर जोर्ड के प्रबंधित दंड के संबंध नियोजकों और उनके कर्मकारों के बीच, मनवांध में निविट श्रीद्वयिक विवाद में केन्द्रीय सरकार श्रीद्वयिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-99 को प्राप्त हुआ था।

[सं. एल-32012/6/96-प्राई.आर. (विवाद)]  
को.एम. डेविड, डैस्ट्रक्ट अधिकारी

New Delhi, the 10th June, 1999

S.O. 1915.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta a; shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Dock Labour Board and their workman, which was received by the Central Government on 10-6-99.

[No. L-32012/6/96-IR(Misc.)]  
B. M. DAVID, Desk Officer

## ANNEXURE

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 34 of 1996

#### PARTIES :

Employers in relation to the management of Calcutta Dock Labour Board.

AND

Their workman.

#### PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

#### APPEARANCE :

On behalf of Management : Mr. B. K. Chakraborty, Industrial Relations Officer.

On behalf of Workman : Mr. A. Banerjee, General Secretary of the Union.

STATE : West Bengal.

INDUSTRY : Port & Dock.

#### AWARD

By Order No. L-32012/6/96-IR(M) dated 21-11-1996 the Central Government in exercise of its powers under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Calcutta Dock Labour Board in refusing to correct the age recorded in the service sheet of Shri Julum Singh, L.D.C. Staff No. D/1793 on the basis of School Certificate submitted by him is legal and justified ? If not, to what relief the workman is entitled to?"

2. Calcutta Port and Dock Industrial Workmen Union (in short the union) has raised this industrial dispute in respect of one Julum Singh, L.D.C., Staff No. E/1793 challenging the action of the management of Calcutta Dock Labour Board (in short the CDLB) for its refusal to correct the age recorded in the service sheet.

3. Union's case, in short, is that the concerned workman entered into the service of the CDLB as Peon on daily-rate basis in April, 1967 and he was finally absorbed in the permanent post on 1-11-1969 and his service was confirmed in the said post on 1-11-1970. He was promoted to the post of L.D.C. in April 1984. Prior to his absorption, he was sent for medical examination for assessment of his physical fitness to the Board's Medical Officer, but the said Medical Officer besides certifying his physical fitness assessed his age/date of birth as 1-7-1945. Though the workman furnished all particulars regarding his age/date of birth, educational qualification etc. in different forms submitted by him, still then, the management of CDLB refused to correct the age/date of birth and allowed the same as certified by the Medical Officer to remain in the official records as his correct date of birth. The workman also submitted his school leaving certificate and admit card issued by the Bihar School Examination Board where his date of birth was shown as 11-7-1947. The management refused to recognise these documents. Management thus having persistently refused to rectify the date of birth of the concerned workman, he referred the matter to the union which raised an industrial dispute. The conciliation proceeding held in this respect having failed, the matter was referred to this Tribunal for adjudication by the Central Government by way of this reference.

3. The management of CDLB in its written statement has taken several objections against the claim of the union for rectification of the age of the concerned workman in the official records. It is alleged that the concerned workman did not produce any documentary evidence at the time of his appointment in the service and even at the time of filing declaration form and attestation form to prove his date of birth as 11-7-1947. CDLB also wanted to justify its action on the basis of Rule 7, Note 1 of the Supplementary Service Rules of the CDLB and alleged that on the basis of the

report submitted by the Medical Officer his date of birth was recorded as 1-7-1945. Even after receipt of his identity card on 20-11-1969 after his appointment and on 2-5-1985 after his promotion, he did not raise any protest though his date of birth was shown there as 1-7-1945. It is further alleged that the age once recorded in service register shall be regarded as conclusive and no alteration shall be allowed normally. CDLB has also alleged that the case of the union should be rejected also as the dispute was raised long after the date of birth of the concerned workman was recorded officially. CDLB accordingly prayed for dismissal of the claim of the union.

4. In the rejoinder against the written statement filed by the management the union has denied the allegations of the management and reiterated its other allegations in its own written statement.

5. Both sides reduced certain documents and one witness was examined on each side.

6. Heard Mr. B. K. Chakraborty, representative of the management and Mr. A. Banerjee, representative of the sponsoring union.

7. Mr. Chakraborty, representative of the management submitted in the first place that the case of the union should be rejected because of the inordinate delay in raising this dispute by the union. Admittedly, the concerned workman was engaged on daily-rate basis in 1967 and his service was regularised as a Peon on 1-11-1969. He became a confirmed Peon on 1-11-1970. There is also no dispute that he obtained his promotion as LDC in 1985. Mr. Chakraborty submitted that the concerned workman having not shown any reason as to why he kept silent from 1969 till 1994 when he raised the dispute in spite of the knowledge about his recorded age in the office records that the union's case should be rejected. In support of his contention he referred to two decisions of the Hon'ble Supreme Court of India in the case of State of Tamil Nadu v. T. V. Venugopalan, reported in 1994 Lab. I.C. 2498 and Burn Standard Co. Ltd. v. Dinabandhu Majumdar, reported in AIR 1995 SC 1499. The ratio laid down in these two cases is that a government servant at the fag end of his service career should not be allowed to raise the dispute regarding correctness of his date of birth in the service register.

8. It is no doubt true that the dispute was raised for the first time after the expiry of about 25 years of service of the concerned workman. Even assuming that the recorded date of birth of the concerned workman is correct, he is not to retire from service before 2003 A.D. The dispute thus having been raised at least 9 years before the superannuation as per office record, it can neither be said to be stale nor can it be said that it was raised at the fag end of his service career. The decisions cited by Mr. Chakraborty accordingly shall not come of any help to the management.

9. It was next submitted by Mr. Chakraborty with reference to Rule 7 of the Service Rules (Ext. W-3) that the age certified by the Medical Officer shall be accepted as correct age of the employee and the age once recorded in the service register shall be regarded as conclusive. Upon reading Rule 7 of the Service Rules it appears that Rule 7 prescribes circumstances under which the age certified by the Medical Officer shall be accepted as correct. There is nothing in Rule 7 to show that this should be conclusive. In Rule 8 there is a provision that the age once recorded in the service register shall be regarded as conclusive, but that has its application only in respect of determination of age under Rule 6 which is not the case here. It is therefore clear that the Tribunal should examine whether the officially recorded age is correct, if an allegation against the same is made by an employee.

10. I shall now come to the principal point in controversy, namely, whether the date of birth of the concerned workman as recorded in the official records of the CDLB was correctly made. Union's case in this matter, as stated above by me, is that on his appointment on 1-11-1969 to the permanent post of Peon he filled-up two forms, namely, declaration form and attestation form on 7-7-1969 which were marked Exts. M-1 and M-2 respectively in this case. It will appear that in these two forms the concerned workman has categorically stated his date of birth as 11th July, 1947,

but it appears that there is a note in the corner side of the said column that it is written "1-7-45 as per note I under clause 7 of S.S.R. 1". This insertion must have been made by an officer of the management. In the relevant kule-u or the S.S.R. it is stated that "At the time of appointment an employee shall declare his age and produce supporting documentary evidence such as Matriculation (or equivalent) certificate, or Baptismal or Birth certificate showing therein the name of the employee concerned. In case of a Class IV employee the certificate of age given by the Head Master of the recognised High School in which he last read may be accepted by the Competent Authority. If no such document can be produced by the employee or if the Competent Authority is not satisfied with the evidence produced, the employee may be sent by the said authority to the Medical Officer of the Board for the assessment of age. The age certified by the Medical Officer shall be accepted as the correct age of the employee".

11. In the instant case the concerned workmen in his evidence has stated that he produced a copy of the school certificate. He was cross-examined on this point and nothing appeared. Mr. Bimal Kumar Jha deposing for the management as MW-1 stated that the concerned workman could not produce any document at the time of his appointment in respect of his date of birth and he was accordingly sent to the Medical Officer as per rules for determination of his age. In his cross examination he stated that he joined the Board's service in 1994 and has no personal knowledge about anything before his appointment and whatever he was saying was on the basis of the records. His evidence, therefore, is of no value. The officer who received these forms in the office would have been the best witness to prove whether any document was actually produced at the time of fixing the forms. There is nothing in these forms to indicate whether any supporting evidence was produced or not. The management itself having not insisted upon its employee for production of document in support of age of the concerned employee at the time of his permanent absorption in 1969, cannot fix up any time limit for production of the same. As a matter of fact, what happened in the instant case is something peculiar. It was at the time when the workman had been working on daily-rate basis that he was directed to appear before the Medical Officer for assessment of his medical fitness. The certificate of the Medical Officer was produced by the management and it is marked Ext. M-4 in this case. It will appear from this certificate that the concerned workman was not sent to the Medical Officer for verification of his age but for assessment of his fitness for appointment as permanent Peon. As a matter of fact, on a perusal of the certificate it appears to me that the certificate was given for determination of his medical fitness and his capability of carrying the duty of Peon. There is also a mention in the certificate that he is aged 24 years. It is not understandable how can the exact age can be ascertained in such manner, nothing will appear from this certificate whether the Medical Officer came to his conclusion after necessary tests for verification of age. There is scope for variation in such fixation of age. Rule 7 of the Supplementary Service Rules prescribes that the age as stated in the certificate shall be taken as final. Though this Tribunal cannot question any matter of policy of the management as expressed in this matter, still then, medical opinions are almost unanimous that there may be variation of 2 years on either side in respect of the age fixed by way of ossification tests, total reliance upon the Medical Officer's certificate becomes difficult.

12. Be that as it may, it appears that the workman has produced certificate from the Marshat H. E. School and the admit card of the Bihar School Examination Board which were marked Exts. W-1 and W-2 in this case. It must be remembered that strict compliance of Rule 7 requires the management to demand production of necessary certificate from the workman for proving his age at the time of his appointment. If such demand is not made the workman is not to know that he has produced such a certificate. The management cannot take advantage of not calling for such document from the workman and send him up for medical examination for failure to produce the same even though such certificate might have been in his possession and he could have produced the certificate at the time of his appointment. There is no evidence before this Tribunal that any such opportunity was given to the workman for production of such document concerning his age at the time of his appoint-

ment to the permanent post of Peon. In such circumstance if the workman produces such document 7 days after his appointment or within a reasonable time after his appointment, the workman cannot be blamed for the same and he cannot be directed to undergo medical examination for assessment of his age for the fault of the management.

13. There is yet another difficulty in the matter. The medical examination of the concerned workman was admittedly conducted before his absorption in the regular post. Rule 7 of the Service Rules contemplates medical examination after the absorption in service in case the workman fails to produce any certificate or if any such certificate produced by the workman is not considered as satisfactory. No medical examination regarding assessment of age of the workman having been conducted after absorption in the permanent post, provisions of Rule 7 cannot be said to have been complied with and the management was not at all justified in recording the date of birth on the basis of a pre-appointment medical certificate.

14. The workman thus having filed documentary evidence before the management by production of his school certificate and the admit card of the Bihar School Examination Board that his date of birth was 11-7-1947 and the management having not shown any reason for not believing the same, the union's case that the date of birth of the concerned workman was 11-7-1947 must be accepted. I have already stated that the management has acted absolutely illegally in relying upon the pre-appointment medical certificate which cannot be considered to be a medical certificate at all under Rule 7 of the Service Rules.

15. So, upon consideration of the facts and circumstance, evidence on record and the position of law in the matter, I find that the management of the CDLB was not justified in refusing to correct the date of birth of the concerned workman as 11-7-1947. Management of CDLB is accordingly directed to correct his date of birth.

This is my Award.

Dated, Calcutta,  
The 1st June, 1999.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 10 जून, 1999

का. प्रा. 1916.—श्रीदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूरसंचार विभाग के प्रबंधतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीदोगिक विवाद में श्रीदोगिक अधिकरण, विशाखापटनम, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-99 को प्राप्त हुआ था।

[सं. एल-40012/191/96-आईआर(डीयू)]

मी. एम. डेविड, ईस्क अधिकारी

New Delhi, the 10th June, 1999

S.O. 1916.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Visakhapatnam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on the 10-6-99.

No. [L-40012/191/96-IR(DU)]  
B. M. DAVID, Desk Officer

## ANNEXURE

IN THE COURT OF INDUSTRIAL TRIBUNAL  
CUM-LABOUR COURT : VISAKHAPATNAM  
PRESENT :

Sri C. Sambasiva Rao, M.A., B.L., Chairman,  
Industrial Tribunal & Presiding Officer,  
Labour Court, Visakhapatnam.

I.T.I.D. (C) 9/98

Dated : 27th day of May, 1999

Ref : No. L-40012/191/96 IR(DU) Ministry of Labour Govt. of India.

### BETWEEN :

Sri Ch. Srinivasa Rao,  
C/o R. Thalupulu,  
T.I, Block-35,  
D. No. 1018, Saligramapuram Port Ors.  
Visakhapatnam-530024. . . Petitioner

And

The General Manager,  
Telecommunications,  
Telecom District,  
Dabagardens,  
Visakhapatnam-530020. . . Respondent

This dispute coming on for hearing before me in the presence of Sri Ch. Amarnath, Advocate for petitioner and of Sri M. Ramakoti, Advocate for Respondent. On perusing the material papers on record the court passed the following :

### AWARD

Both workman and counsel absent. Petition is dismissed. Nil Award passed.

Given under my hand and seal of the court this the 27th day of May, 1999.

C. SAMBASIVA RAO, Chairman,  
& Presiding Officer

नई दिल्ली, 10 जून, 1999

का. प्रा. 1917.—श्रीदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दैसर्स सी.सी. एल. के प्रबंधतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीदोगिक विवाद में केन्द्रीय सरकार श्रीदोगिक अधिकरण, सं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-06-99 को प्राप्त हुआ था।

[सं. एल-20012/148/95-आई.आर.सी-1]  
मी. एस. ए. एस. पी. राजू, ईस्क अधिकारी

New Delhi, the 10th June, 1999

S.O. 1917.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2,

Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. CC Ltd. and their workmen, which was received by the Central Government on 08-06-98.

[No. L-20012/148/95-IR(C-I)]  
V.S.A.S.P. RAJU, Desk Officer  
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT  
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 91 OF 1996

PARTIES :

Employers in relation to the management of N. K. Dakra Area of M/s C.C.L. and their workmen.

APPEARANCES :

On behalf of the workmen.—None.

On behalf of the employers.—None.

STATE : Bihar. INDUSTRY : Coal.

Dated, Dhanbad, the 24th May, 1999

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/148/95-I.R.(Coal-I), dated, the 3rd September, 1996

SCHEDULE

"Whether the action of the management of N. K. Area of M/s. C.C.L. in disallowing the duty of Sri Akla Ganju and not taking him back in the employment was proper and justified ? If not, to what relief is the concerned workman or his dependent entitled ?"

2. In this reference none of the parties appeared before this Tribunal nor took any steps inspite of the issuance of notices to them again and again leading to an inference of non-existence of any industrial dispute between the parties. The reference is pending since later part of 1996 and it is of no use to drag the same year after year for taking steps by the parties. Under such circumstances a 'No dispute' Award is being rendered and the reference is disposed of on 'No dispute' Award basis on presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 14 जून, 1999

का.श्र. 1918.—ओडिशार्गक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रत्युतरण में, केन्द्रीय सरकार प्रम.भी.सी.एल. के प्रबंधतंत्र के संबंध नियोजकों और उसके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओडिशार्गक विवाद में बैलून्ड सरकार ओडिशार्गक अधिकरण हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-6-99 को प्राप्त हुआ था।

[फाइल सं. प्ल--22012/401/96-प्राइमर (शी-II)]  
वी.एस.ए.एस.पी. राजू, डेस्क अधिकारी

New Delhi, the 14th June, 1999

S.O. 1918.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C.L. and their workmen, which was received by the Central Government on the 7-6-1999.

[File No. L-22012/401/96-I.R. (C-II)]  
V.S.A.S.P. RAJU, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT  
HYDERABAD

PRESENT :

Sri G. V. Raghaviah, B.Sc., B.L., Industrial Tribunal-I.

Dated, 26th day of April, 1999

INDUSTRIAL DISPUTE NO. 57 OF 1997

BETWEEN

The General Secretary, (Shri K. Rahaiah)  
SCLU (INTUC), Bellampalli (PO) 504251,  
Adilabad District (AP) .. Petitioner.

AND

The General Manager, M/s. S.C.Co. Ltd.,  
Ramagundam-III, Godavarikhani (AP) 505209  
.. Respondent.

APPEARANCES :

M/s. A.K. Jayaprakash Rao, and K. Srinivasa Rao,  
Advocates for the Petitioner

M/s. K. Srinivasa Murthy and A.V. Appa Rao,  
Advocates for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi by its order dated 29-8-1997 in its letter No. L-22012/401/96-I.R. (C.II) has referred the following dispute for adjudication to this Tribunal under Section 10(1)(d) and Sub-section 2A of I.D. Act,

"Whether the denial of the management of S. C. C. L. Bellampalli, to provide dependant employment to Smt. Dadi Komaramma Widow of Late Shri Dadi Odalu Ex. General Mazdoor, is legal and justified? If not, to what relief is the dependant widow entitled and from which date?"

This Tribunal took the above reference on file. On being served with a notices, both parties made their appearance through their counsel and filed their respective pleadings.

2. The petitioner sent claim statement by post on behalf of the affected work woman. According to the petitioner, one Dadi Odalu worked as General Mazdoor in the respondent organisation. He met with a road accident and died in February 1995. He is survived by wife Komaramma and a

female child. As per National Coal Wage Agreement II to V the dependant of the deceased worker has to be given job if the workman died while in service and as per the said agreement even the female dependant has to be given job. But the respondent entered into a settlement on 25-10-91 with some of trade unions depriving the said facility to female dependent and providing for payment of lump sum amount of Rs. 50,000 by way of compensation which is illegal being contrary to NCWA settlement and on the basis of above illegal settlement, the respondent is denying employment to Komaramma wife of the deceased-worker. Hence the petitioner raised dispute before Asstt. Labour Commissioner (Central) Mancherial. But the same ended in failure leading to this reference.

According to the petitioner the wife of the deceased Odelu is entitled for employment as per the terms and conditions of above National Coal Wage Agreements and the management has no right to enter into settlement with some of the Trade Unions. It prayed for passing award declaring that Smt. Komaramma is entitled to employment in the respondent organisation as the wife of the deceased workman Odelu.

3. The respondent filed counter contending that reference is liable to be dismissed while admitting as per National Coal Wage Agreement even female dependants of the deceased workman is entitled to job and that it entered into settlement on 25-10-91 with some of the trade unions. It denied that the said settlement is illegal being contrary to N.C.W.A. It on the other hand contended that the NCWA provides for entering into settlement depending upon the local condition. It contended that as per Section 46 of Mines Act Woman cannot be engaged in mines underground and above ground except between 6.00 a.m. and 7.00 p.m. and further the management is facing certain problems in employing woman in mines and hence having regard to the above circumstance it entered into above settlement providing for payment of compensation to female dependant in lieu of employment.

It further contended that it is not open to dispute the legality of the above settlement after long lapse of time as it is being implemented all these years and wife of Odelu will be entitled to compensation as per the above settlement if she is eligible for the same but not for employment and hence it took the same stand before conciliation proceedings. Thus according to it the settlement dated 25-10-1991 is binding on all the parties and Smt. Komaramma is not entitled to employment as dependant of D. Odelu and prayed for rejecting the reference. Though it reserved right to file additional counter with regard to factual allegations the same was not filed.

4. On the above contentions, the following point arises, for determination :

"Whether the action of the respondent in denying employment to Smt. Komaramma wife of deceased Odelu Ex. Mazdoor is not valid?"

5. Point :—In support of the contention of the petitioner, Sri Rajayya the General Secretary besides examining himself as WW1, examined Smt. Komaramma as WW2 and filed Exs. W1 to 8. No oral evidence adduced on behalf of the Management in spite of giving opportunity and adjourning the matter on cost but Ex. M1 and 2 are marked on its behalf in the cross examination of WW2. The respondent further did not advance arguments while arguments are advanced on behalf of the petitioner. Hence award is passed on the basis of material on record and the contention raised by the parties in their pleadings.

6. Before proceeding to consider the merits of the contentions, it is useful to set out admitted facts in brief. One Dadi Odelu husband of WW2 Komaramma joined as General Mazdoor in the respondent's company in 1982. On 23-2-1995 he died as per Ex. W1 death certificate having met with road accident while returning home from night shift duty. He is survived by parents, wife who is examined as WW2 and a daughter as borne out by Ex. W2 Joint heir certificate issued by M. R.O. Ramamundam. Exs. W3 to 6 are the xerox copies of National Coal Wage Agreements II to V providing for giving employment to the dependent of the decea-

sed workman including his wife Ex. W9 is the circular dated 22-4-92 issued by the respondent extending the above benefit even to the dependants of badli worker. Ex. W8 the office order dated 8-9-90 i.e. bunch of office orders appointing female dependants of the deceased workman as per the above National Coal Wage Agreements. Ex. M1 is settlement dated 25-10-91 entered into by the Management with Major employees Unions. As the respondent refused to give employment to WW2 Komaramma, she approached ALC without success leading to this reference. The petitioner is affiliated to INTUC and WW1 is not an employee of the respondent but general secretary of the union.

7. It is contended on behalf of the petitioner that as per Exs. W3 to W6 National Coal Wage Agreements which are binding on the respondent and which it has implemented by giving employment to the female dependant of deceased workers, WW2 is entitled for employment on the death of her husband who worked as general mazdoor but it is denying the said facility on the basis of Ex. M1 illegal agreement entered into by it with some trade unions though it extended the benefit even to the dependants of badli workers under Ex. W7 circular as such the action of the respondent in denying the said facility to WW2 is not justified. According to it Ex. M1 is not binding on the petitioner union not being party to it.

8. The contention of the respondent on the other hand is that though Ex. W3 to W6 provide for giving employment to female dependants, Mines Act prohibits the same in Underground and further experience also showed that it is difficult for lady workers to work in mines and hence Ex. M1 settlement was entered into provide for payment of compensation in lieu of employment, that said agreement is not illegal as it was accepted by major unions, implemented all these years and WW2 will be entitled to compensation if she is otherwise eligible but not for employment as per Ex. M1 agreement. It is further contended that WW1 gave Ex. W2 application to give job to her son-in-law instead of her as she is unable to work but evidence showed that she has no son-in-law and in this view of the matter also she is not entitled to employment for giving Ex. W2 application for giving a job to her non-existing son-in-law. Thus according to the respondent in any view of the matter, its action is justified.

9. WW1 and WW2 deposed about the death of Dadi Odelu while in service survived by WW2, daughter and parents. WW1 further spoke to Ex. W3 to W6 National Coal Wage Agreements II to V which admittedly provides for giving employment to the dependants of the deceased worker the respondent giving job to the female dependant as per the above agreement under Ex. W8 and extending the above benefit even to the dependant of badli workers under Ex. W7 circular and about Ex. M1 agreement entered into by management with some of the trade unions providing for compensation to female dependants in lieu of employment and that it is not binding on the petitioner being not party and illegal. He denied the suggestion that the management can enter into such agreement in addition to N.C.W.A. He however admitted that as per Mines Act lady workers cannot be appointed underground. He denied that there are no suitable jobs for lady workers in the mines or surface. He admitted that the matter written in ink or son-in-law in para 9-4-2(1) of Ex. W4 is an interpolation. Thus it is obvious that as per Ex. W3 to 6 employment has to be given to male or female dependants of the deceased employee but not to his son-in-law. There is nothing in the evidence of WW1 to show that they raised any dispute earlier regarding Ex. M1 agreement providing for payment of compensation to the female dependants on the ground that it is illegal being contrary to N.C.W.A. It is of course true that the petitioner union is not a party to Ex. M1 settlement.

10. The evidence of WW2 showed that her daughter is aged 10 years and she is unmarried and her in-laws are alive and she does not know who is Rajaratnam. She, however admitted of having giving an application to the management that as she is unable to work employment may be given to her son-in-law. She admitted recitals of Ex. M2 when the same was read over to her. She admitted that WW1 is related to her and she does not know whether the respondent tried to pay Rs. 50,000 as compensation to her

She further admitted that she falsely stated in Ex. M2 that Sudhakar is her son-in-law. She denied that WW1 got the said application sent by her with false recitals. Thus it is obvious from the evidence of WW2 that he sought employment to her son-in-law instead of herself on the ground that she is unable to work. It is therefore quite probable as suggested to WW2 that above application was got sent by WW1 with false recital that one Sudhakar is her son-in-law and accordingly interpolation is made in Ex. W4 to show that son-in-law of defendant is also entitled for employment. I am unable to accept her statement on re-examination that she did not affix her thumb mark on any application in view of her categorical admission in cross examination that she gave an application and contents of Ex. M2 are true when the same was read over to her.

11. I am of the view that when major unions have entered into Ex. M1 agreement under Section 12(3) of I.D. Act and it is being implemented for the reason that Mines Act prohibits employment of female workers underground and as WW2 gave Ex. M2 application for giving job to her alleged son-in-law instead of herself as provided under Ex. W3 to W6 the contention of petitioner union that respondent is not justified in denying employment to WW2 is untenable as no material placed on record to show that inspite of Ex. M1 agreement female defendants are appointed. I am of the view that Officer order dated 13-8-1998 filed along with memo showing that female workers appointed in case of badli also subsequent to Ex. M1 is not relevant as it is case of female being appointed in the absentee vacancy of badli but not appointment of defendant. Further she was appointed in the workshop but not in mine either underground or surface. I find no cogent reason to doubt the genuineness of Ex. W2 application as WW2 admitted its contents to major extent.

12. Hence having regard to the facts and circumstances of the case and Exs. M1 and M2, I am of the view that it cannot be said that Ex. M1 agreement is illegal and the management is not justified in denying job to WW2. I feel that Ex. M1 agreement is reasonable as it provides for payment of lumpsum amount of Rs. 50,000 as compensation to female defendants in lieu of employment and it cannot be said to be illegal and void as N.C.W.A. provides for entering into agreement by the management with union depending upon local condition and situation. I feel that Ex. M1 is binding on WW2 though the petitioner union is not a party to it as it was entered into by major unions. I am of the view that having given Ex. W2 application it is not open either for WW2 or for WW1 to contend that action of management in denying employment to WW2 is not justified or Ex. M1 is not valid. Hence I answer this point accordingly against the petitioner holding that WW2 is not entitled for an employment but compensation only.

13. In the result an award is passed holding that the management is justified in refusing to give employment to WW2 in view of Ex. M2 application given by her and Ex. M1 settlement dated 25-10-91 and she will be entitled to compensation only if she is eligible for the same under Ex. M1 agreement.

Written and passed by me on this the 26th day of April 1999.

C. V. RAGHAVAIAH, Industrial Tribunal  
Appendix of evidence

Witness examined for petitioner      Witness examined for respondent

WW1 : K. Rajiah

NIL

WW2 : Dadli Komacamma

Documents marked for the petitioner

Ex. W1 : Death certificate of Sri Odain dated 20-4-95.

Ex. W2 : Legal heir certificate issued by MRO, dated 4-9-95.

Ex. W3 : Xerox Copy of NCWA-II extract.

Ex. W4 : Xerox copy of NCWA-III Extract

Ex. W5 : Xerox copy of NCWA-IV Extract.

Ex. W6 : Xerox copy of NCWA-V Extract.

Ex. W7 : Circular dtcd 22-4-92 regarding employment to the dependants.

Ex. W8 : Bunch of appointment Orders (Numbering 8) given to the workers who are dependants of the workers.

Documents marked for the respondent

Ex. M1 : Agreement dated 25-10-91 entered between the workers and the Management.

Ex. M2 : Application dated 25-3-93 given by WW2 for employment to the defendant son-in-law of WW2.

रात्रि दिल्ली, 14 जून, 1999

का.आ. 1919.—श्रीदोगिक विदाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ.सी.आई. के प्रबंधतत्व के संबद्ध भियोजकों और उनके कर्मकारों के बीच, अनुबंध में तिरिच्छ श्रीदोगिक विदाद में केन्द्रीय सरकार श्रीदोगिक अधिकरण, बंगलौर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-5-99 को प्राप्त हुआ था।

[स. एल-22012/501/90 (सी-II)]

वी.एस.ए.एस.पी. राज, डैस्क अधिकारी

New Delhi, the 14th June, 1999

S.O. 1919.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of FCI and their workmen, which was received by the Central Government on 25-5-1999.

[No. I-22012/501/90 (C-II)]  
V.S.A.S.P. RAJU, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT BANGALORE

Dated, the 13th May, 1999

#### PRESENT :

Justice R. Remakrishna, Presiding Officer.

C. R. No. 23/1991

#### I PARTY :

The District Secretary  
Food Corporation of India  
Employees Union,  
District Committee,  
Coimbatore-641012.

#### II PARTY :

The Zonal Manager  
Food Corporation of India  
No. 2, Haddows Road,  
Madras 600006.

#### AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2-A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-22012/501/90-I(R-C-II) dated 29-4-91 for adjudication on the following schedule.

## SCHEDULE

"Whether the management of Food Corporation of India is justified in terminating the services of 5 workmen viz. (1) Sri K. Rathinakumar, (2) Sri S. Kumar, (3) Ms. R. Latha Maheshwari (4) Ms. D. Ganthamani and (5) Ms. D. Amala w.e.f. 22-9-87 and also is not paying the wages on par with that of the regular workman performing similar and same nature of work? If not, to what relief the concerned workmen are entitled?"

2. This reference relates to Food Corporation of India, Coimbatore. The reference was received on 2-5-1991 to this Tribunal. The first party union filed the claim statement on 31-5-1991. The second party filed their counter statement on 23-3-1992. This Tribunal having found that no additional issues arises passed an order directing the parties to lead their evidence on the schedule to the reference.

3. Meanwhile parties appears to have been filed some interlocutory applications I.A. No. 1 and I.A. No. 2. This Tribunal passed necessary orders on those applications making way to the parties to lead their evidence for an adjudication on merits.

4. The second party, on whose burden is placed has examined three witnesses. All the witnesses are cross examined. On behalf of the first party the concerned workmen gave their evidence. The witness by name Shri Anandkumar, a contractor of Food Corporation of India was also examined as WW-1. The first party filed their written arguments on 7-6-1996. The second party also filed their written arguments on the same day. Thereafter it was posted for passing an Award.

5. There was some cessation of work of this Tribunal due to various administrative problems and the Tribunal started functioning regularly from second week of September, 1998. The first party representative appeared later and submitted the history of this case.

6. It is most unfortunate that this Tribunal failed to pass an award though the parties have discharged their obligations. A mountain is made out of mole hill. A simple case was made to appear complicated and thereby the members of the first party have been deprived of their legitimate right to get a judicial order well in time. I do not know how much these workmen and other concerned parties are frustrated due to this long lapse of delay. We have to blame ourselves for creating such an unhappy situation in dispensing speedy justice in Labour cases.

7. The concerned workmen involved in this dispute are :

Sl. No.	Name of the workmen	Date of joining
1.	Sri K. Rathinakumar	5-9-1984
2.	Selvi D. Amala	7-9-1984
3.	Selvi R. Latha Maheswari	18-4-1985
4.	Sri S. Kumar	2-6-1985
5.	Smt. P. Ganthamani	9-9-1985

8. They are working as Typists till their services are terminated on 23-9-1987. They have contended that :

- (a) Working under the direct control of the various Asst. Manager (Section Head) of Food Corporation of India at Coimbatore.
- (b) Working in the District Office of the Food Corporation of India, at Coimbatore.
- (c) Doing the work of typing exclusively for Food Corporation of India.
- (d) Working during the normal working hours of the District Office.
- (e) At times of exigencies these workmen were asked to work even on holidays which they did.
- (f) These 5 workmen worked along with the other regular employees of the District Office, Food Corporation of India, Coimbatore.

9. The very case made out by them is they are all holding requisite qualification to be appointed as Typist and due to ban on regular employment they have been appointed on daily rated basis. Though the ban on regular employment is lifted by Food Corporation of India on 6-5-1987 as per the copy of the letter No. EP 1(4)/85 Vol. II dated 6-5-1987 the cases of these workmen are not considered. Therefore they have been forced to rise a conciliation through their union for their regularization. However the conciliation is failed resulted in this reference.

10. They have prayed for an Award directing Food Corporation of India to restore, regularise and continue the services with the attendant monetary and service benefits including the differential of salary and such other additional reliefs.

11. The second party in their objection statement have denied in toto the case made out by the first party. They have contended that these workmen appeared to have been working as casual labourers under the Contractor in respect of the work entrusted by the Food Corporation of India. Their wages also paid by the said Contractor. As per the F.C.I Staff Regulation, a Typist which is Category III Post can be filled up only by the Senior Regional Manager of the F.C.I. and the District Manager has no powers to appoint the Typists. They are not the workmen of Food Corporation of India.

12. It is further contended that they does not know that the five petitioners have required qualification to be appointed to work in F.C.I and there was no occasion for the respondent to verify these aspects of the matter.

13. They have not denied that there was ban on regular recruitment, which was lifted on 6-5-1987 as a special case to facilitate the regularization of the services of those workmen recruited on part time/on casual/daily rated basis in various offices of the Food Corporation of India. Therefore this circular is not applicable to the first party as they are not the workmen engaged by them.

14. They have also denied their continuous service as claimed by them and further contended that they are not eligible for appointment as typist as per Staff Regulation.

15. It is laitly contended that these workmen worked under Handling and Transporting Contractors and therefore they could not be considered as employees of the Food Corporation of India. Therefore they prayed for rejecting the claim of the first party.

16. Highly disputed fact between the first and the second party is the status of these workmen when they are doing their job of typing in the F.C.I. According to the second party these typists were contract labourers engaged by the Handling and Transporting Contractors and they are not coming under direct employment of the F.C.I. therefore there is no question of considering them for regularization or to give any notice of their termination. According to the second party the contractor engaged them to do typing work belongs to him and secondly he was collecting the daily wages on behalf of these five typists and therefore there being no privity of contract between the F.C.I. and these five typists the reference required to be rejected as there is no master and servant relation-hip and these typists are not the workmen as defined under Section 2(s) of the Industrial Disputes Act.

17. The contention of the first party workmen are that they have been directly appointed to do the typing work of F.C.I. and possess all required qualifications to consider them for permanent post of typist which is Class-III post. It is also their contention that they have worked more than 240 days in a year and there was continuity of work from the date of their appointment till 23-9-1987 and therefore they have the benefit of Section 25F of the Act and since the mandatory provisions are not followed they are entitled for reinstatement, back wages and also regularization. Therefore the point that requires consideration is whether the first party proved that they are direct employee under F.C.I. and therefore they are entitled to all benefits in accordance with the Act? What Order?

18. The first witness for the management Smt. B. Kothai who worked as Assistant Manager at Coimbatore District, F.C.I. from 11-5-1987 to 4-3-1989. According to her the

typists in question are not the employees of F.C.I. They are engaged from handling and transporting contractors. They were doing the work of contractors in the Depots of F.C.I. The payment to the employees supplied by the contractors is on the basis of issue work slips. Such procedure also extended in favour of these typists.

19. She has also spoken about the procedure of appointment and the right of an employee to sign the muster roll.

20. In the cross examination Ex. W-2 was brought to her notice which is an office order dated 12-12-1986 issued to these typists to attend the interview for the post of typist on 14-12-1986 at Zonal Office, F.C.I. Madras. It is further elicited that the contract is for carrying only godown operations as per Ex. M-26.

21. Ex. M-26 is a contract agreement between the Contractor and second party. Under this contract the post of typist is not included. He has accepted the fact that he has not asked at any time for supply of typists to contractors. He has also accepted the fact of issuing certificates W-17 and W-18 appreciating the work done by two typists. He also states that typewriting machines are supplied by the F.C.I. for typing work. At para 14 of his cross examination he admits the fact that these five persons were admitted for a test as per Ex. W-2. Ex. W-19 and W-20 are the office orders issued by their office. He is not aware of any decision being taken in pursuance of Exs. W-19 and W-20. He is not aware under what circumstances these five persons were called for a test. He also accepted that there was shortage of typists in their office at Coimbatore when he was working. He has denied the suggestion that to circumvent the ban, these five persons were recruited and taken a plea that they are contract labourers. He has denied the suggestion that they received the money from the contractors to be paid to these five typists and vouchers Exs. M-12 to M-25 pertains to reimbursement made to F.C.I.

22. The second witness is one Shri A. Asirvatham, an Assistant Manager, F.C.I. According to him from 12-6-86 to 30-4-1988 these five claimants worked as casual labourers of H & T Contractors and not worked as F.C.I. employees. He has also corroborated the evidence of MW-1 on some material defence taken by them.

23. It is elicited at para 5 of the cross examination that Ex. W-22 to W-31 are the zerox copies of the originals of which have been signed by him. Such certificates are not issued to all the casual labourers. These five casual labourers were in the office for miscellaneous office works and concerned Assistant Manager's would have issued the certificates. Of course he changes his dialogue later.

24. MW-3 Shri N. Palaniswami, another Assistant Manager of F.C.I. who said to have been dealing in establishment section states that V. Anandakumar was the contractor from 24-11-84 to 25-12-86, R. Veeraswamy was the contractor from 26-12-86 to 25-12-88. In the workslips the names of present first party members is also mentioned. The originals have been missing in the office. He also stated that these typists have not worked for F.C.I. During 5-6-84 to 23-11-84 there were no contractors. He also stated about the qualification to appoint the typists under Category-III. He has denied the suggestion that the contract between the second party and the contractor was only to load and unload. According to him clause 20 of Ex. M-26 provides for the other type of work and miscellaneous.

25. As against the evidence the first party examined Shri V. Anand Kumar, a contractor of F.C.I. He has stated in his evidence that he worked from 24-11-84 to 25-11-86, but he has denied having engaged these typists on contract basis by him and he did not supply them also to second party. He used to type whenever there is necessity connected to his work. He has admitted that in the bills the five persons were treated as casual labourers. He has expressed his ignorance knowing these five typists nor he has seen them at any point of time.

26. All the typists were examined as witnesses to speak themselves of their status as typists in the second party.

27. The some total of evidence is that they got the job through District Manager and Assistant Manager was paying wages based on attendance certificate issued by Assistant Manager. These certificates used to be surrendered to get the wages. They have also given the evidence regarding the nature of work done for F.C.I.

28. In the cross examination of these witnesses the relevancy of attendance certificate were questioned.

29. I have carefully gone through Ex. M-26 a contract agreement from 24-11-84 to 23-11-86 between Shri V. Anandakumar and F.C.I. At page No. 3 Sl. No. B brief description of work is shown. All the work conning to manual labour. Clause 20 on which MW-3 made reliance to show that the contractors are expected to supply the category of workmen other than loaders and unloaders is not a correct statement. The Clause 20 is a direction to the contractor to supply of casual labour with such number of male/female whenever asked to do so at short notice during day or night by the Senior Regional Manager or an Officer acting on his behalf.

30. Therefore it is crystal clear that the contract agreement is not provided to supply typist to work in the second party organisation as contract labourers. It is also curious to note that in Ex. W-19 and W-20 which are the office orders of the second party, he gives direction to these typists to attend for the test to take a decision about their eligibility for appointment as per F.C.I. Staff Regulation. In these two letters the subject is stated as Recruitment to the post of Typist from qualified Departmental candidates.

31. It is also to be noted that the designation shall be either contract labourers or casual labourers. It can not be a contract casual labour as the said nomenclature does not make any sense. WW-1 the contractor has not supported the case of the second party. There is an attempt to circumvent the situation to the advantage of second party. I have also carefully gone through the workmen exhibits related to attendance certificates of these workmen. On my surprise I found each workman have worked more than 240 days in a year. in fact the said certificates was given by Assistant Manager in the name of the typist. According to the second party these certificates were given to enable them to produce for getting their wages. There can not be any quarrel on this. Since they have been treated as casual employees adopting such method can not be viewed in any way as contract labourers. But there is no evidence whether such type of certificates were given to all the contract labourers supplied by the contractor. Therefore there is a demarcation of difference between the contract labourers for loading and unloading compared to these typists.

32. We have already held that contract agreement will not provide for supply of typist to work at F.C.I. At the most the FCI would have taken the assistance of contractor to introduce/obtain some typist to work in the F.C.I. Even this fact has been denied by the contractor WW-1. As according to him he does not know the name of these typists nor he had any familiarity.

33. More than this Ex. W-19 and W-20 is crucial documents to appreciate the stand taken by these typists. There is also certificate given by the Assistant Manager and District Managers as it relates to execution of typing works by these typists. I may point out only 2 documents Exs. W-17 and W-18 as an experiment basis. Ex. W-17 discloses that :

"One of the typists S. Kumar is working as a Typist for the past 2 years on daily rated basis. His execution of typing work is neat and tidy and is well versed in office routine etc. He is obedient and his character and conduct are Good. I wish him all success."

34. Such certificates in all probability will not be given to a contract labour under any circumstances. Unless a typist works directly under the management of the second party and exclusively work for the second party such certificate will not be issued. Directly working and exclusively working will have a legal implication of direct supervision and control by a person who is a master for the purpose of payment and wages, appreciation of work etc.

35. When Government of India sent a circular to regularise the services of some category of workmen the category of typist also shown in the category-III post. In this circular dated 6-5-1987 the subject is shown as Recruitment of Casual/Daily rated employees regularisation thereof.

36. In para 2 of his circular the failure on the part of the management to engage the casual employees in a large number has been sent and therefore they are directed to stop the engagement of casual/daily rated/part-time employees/labour in the office. A proposal was also placed to regulate casual/daily rated employees who have completed 3

months period on 2-5-1986 i.e. the date of imposing ban on engagement of casual/daily rated/part-time employees and who fulfil the other requirements of posts.

37. It is clear that on the day of this circular all the typists have fulfilled their requirement of service and they have also qualified to be appointed to that post either directly or by regularisation, as discloses in the testimonials furnished by them and marked as exhibits before this tribunal.

38. These materials admittedly shows that these typists were working as casual employees directly in the second party and only to escape their responsibility to regularise these typists the second party have taken the defence to defeat their claim.

39. Since this tribunal held that they are the casual employees coming directly under the second party management and also having proved that they have worked continuously for more than 240 days, their removal without following the statutory provisions contained under Sec. 25F of Industrial disputes Act is null and void. The mandatory provisions contained thereon has not been observed by the second party. Therefore on this ground along their removal from service can become unsustainable and they are entitled for reinstatement and other benefits.

40. In Dharwad District P.W.D. Literate Daily Wages Employees Association and others etc. vs. State of Karnataka and Another etc. 1991 II LLJ. SC 316 the regularisation of daily rated and monthly rated employees and their entitlement of salary like regular employees considered. The court held :

"Equal pay for equal work and providing security for service by regularising casual employment within a reasonable period have been unanimously accepted by the Supreme Court as a constitutional goal to our socialist polity. Article 141 of the Constitution provides how the decisions of the Supreme Court are to be treated. Decision of the Supreme court is made binding on the instrumentalities of the State be it of the Centre or the State or the Public Sector ... by the Constitution makers."

(Para 11)

41. In Baldev Singh vs. Labour Court, Chandigarh & Another, a learned single Judge of Punjab and Haryana High Court, while dealing their remedies opened to a workmen if the employer fails to comply Sec. 25F of the Industrial disputes Act, what would be the remedy ? It was held :

"Award of full backwages will be the normal rule and the party objecting to it must establish the circumstances necessitating departure. Violation of Sec. 25F renders the order of termination void and inoperative and entitles the workmen to the relief of reinstatement. If no reason are given to depart from the normal rule of awarding full back-wages, the workman is entitled to the normal rule of full backwages." (Para 6).

42. In Jacob M. Puthuparambil and Others and Kerala Water Authority and others etc. etc. 1991 II LLJ. page 65, the Supreme Court once again considered the regularisation of service for employees serving for long and have requisite qualification was considered and held at para 7 and 9:

"The question of regularisation in service must be examined keeping in mind the historical as well as the Constitutional perspectives. India is a developing country which has a vast surplus labour market. Large scale unemployment offers a matching opportunity to the employer to exploit the needy. Under such market conditions the employer can dictate his terms of employment taking advantage of the absence of the bargaining power in the other. The unorganised job seeker is left with no option but to accept employment on 'take it or leave it' terms offered by the employer. Such terms of employment offer no job security and the employer is left to the mercy of the employer. Employers have bet-

rayed an increasing tendency to employ temporary hands even on regular and permanent jobs with a view to circumventing the protection offered to the working classes under the benevolent legislations enacted from time to time. One such device adopted is to get the work done through contract labour."

43. The termination of services without any notice of Casual Labour in Construction Division of Railways was once again came up before the Hon'ble Supreme Court of India in 1992 II LLJ. 609, Union of India and Ors. vs. Basant Lal and Ors. Their Lordships have held

"Workers working as casual labour in the Construction Division for more than 120 days of Continuous service acquire temporary status. Hence the termination of services of such workers without giving them notice was in violation of the provision of Rule 2304 of the Indian Railway Establishment Manual. In their before the Tribunal the workers had taken the stand that they were employed in the Construction Division and the same was not denied by the Railways. No order of appointment or any documentary evidence was placed to show that the workers were employed as casual labour on a project work. Hence the Tribunal was right in ordering the reinstatement of workers. The Railways were directed to pay back wages to all the employees equal to the temporary status employee and also accord temporary status to all the workers."

44. Added to this these typists have shown their eligibility for regularisation as they have fulfilled all the conditions for appointing as typist as per recruitment rules. Even these fact has not been noted by the second party to regularise their services. Therefore looking from any angle the second party have not justified in removing/not regularising/not following section 25F of the Act. In view of these findings the following order is inevitable.

#### ORDER

The claim of these typists as per their claim statement is hereby allowed. The second party are not justified in terminating their services w.e.f. 22-9-1987. The second party are hereby directed to reinstate all these typists under regularisation principle to hold the post of typists Class-III. Since considerable time has been elapsed from 2-9-1987 onwards for proper disposal of this dispute for purpose of regularisation, their age shall be taken as on 22-9-1987. They should be start with a salary which they are entitled if they would have been regularised during 1987. They are not entitled for any backwages but the management shall pay a sum of Rs. 50,000 to each of the employees for depriving their right to regularisation after 22-9-1987.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on 13th May, 1999).

Justice R. RAMAKRISHNA Presiding Officer

नई दिल्ली, 14 जून, 1999

का.आ. 1920.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई. सी. एल. के प्रबंधतात्म के संबंध नियोजकों और उनके कम्बियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, प्रासनसोल के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-5-1999 को प्राप्त हुआ था।

[सं.ए.ल-22012/590/94-सी-II]

की.एस. ए. एस. पी. राजू, डैस्ट्रिक्ट अधिकारी

New Delhi, the 14th June, 1999

S.O. 1920.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of E.C.L. and their workmen, which was received by the Central Government on 25th May, 1994.

[No. L-22012/590/94-C.II]

V. S. A. S. P. RAJU, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 29 of 1995

#### PARTIES:

Employers in relation to the management of Patmohna Colliery of M/s. E.C.L.

AND

Their Workmen

#### FRESENT:

Shri R. S. Misra, Presiding Officer.

#### APPEARANCES:

For the Employers—Shri P. K. Das, Advocate.

For the workmen—Shri Nur Ali Khan, Organising Secretary of the Union.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 17th May, 1999

#### AWARD

By Order No. L-22012/590/94-IR(C.II) dt. 26-5-95 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this tribunal:

"Whether the action of the management of Patmohna Colliery of M/s. E.C. Ltd. in dismissing Sh. Dilip Tury, U.G. Loader is justified? If not to what relief is the concerned workman entitled to?"

2. The union's version:—The concerned workman had been working as Under Ground Labour in Patmohna Colliery. He became sick since 12-9-90 and initially he got himself treated by a local doctor. Some days thereafter he was referred to the hospital of the colliery at Patmohna where he was treated. Subsequently he was referred to the T.B. hospital at Searsole and his treatment continued there upto 16-1-92. Although his sickness and treatment was known to the management, he was chargesheeted and dismissed from service on the fake allegation of unauthorised absence from duty. Therefore the Industrial Dispute has been raised challenging the action of his dismissal from service.

3. The management's version:—Admittedly the concerned workman had been working as Under Ground Loader at Patmohna Colliery. He remained absent from duty unauthorisedly and without giving even formal intimation to the management from 29-9-90 to 20-12-91. Due to such unauthorised absence without intimation, there was dislocation of underground mining work. So the charge-sheet dated 25-12-91 was issued against him for the misconduct of unauthorised absence. It was sent by post in the postal address of the concerned workman and was also published in the newspaper. There was no reply to the charge-sheet by him. An enquiry officer was appointed, who issued notice of enquiry to him by post and also through publication in newspaper. The concerned workman did not attend the enquiry and so the enquiry was conducted ex parte. On consideration of statements of witnesses examined during the enquiry and other materials placed in the enquiry the enquiry officer found the workman totally guilty of the charge and accordingly submitted his report of enquiry to the management. On giving due consideration to the materials placed before the enquiry officer and his report, the management dismissed the workman from service and intimated the dismissal order to the workman vide dismissal letter dated 15/17-2-92.

4. Preliminary hearing concerning the point of validity of the enquiry proceeding was taken up vide order dated 17-9-98 and the preliminary hearing was disposed of vide the said order. No invalidity in the enquiry proceeding was noticed and so final hearing was taken up on the basis of the materials which were placed before the enquiry officer during the enquiry.

5. The management produced the record of enquiry including the charge-sheet. Although in the enquiry report, the enquiry officer has given the finding that the charge of unauthorised absence during the relevant period by the concerned workman has been sufficiently established, the enquiry report does not reflect the actual fact and is contrary to the facts placed before the enquiry officer during the enquiry.

6. It has been mentioned in the enquiry report that only three witnesses such as one Leave Clerk, one Bill Clerk and one Doctor were examined on behalf of the management, but the record reveals that one more witness named B. P. Sadhu was also examined during the enquiry on behalf of the management. The Bill Clerk gave the statement in the enquiry that the workman attended duty for three days in January, 91 and two days in February, 91 and availed sick leave for fifteen days in January, 91. The important point in his statement is that the workman had availed sick leave for fifteen days in January, 1991. But this part of his statement has been omitted and overlooked, while discussing his statement in the enquiry report. Similarly as regards the statement of the doctor, wholly incorrect version has been quoted in the report of the enquiry, as the statement of the doctor. This doctor was the Medical Officer of the dispensary of the colliery at Patmohna during relevant period. It has been mentioned in the report of enquiry that as per his statement, the concerned workman was treated in the hospital at Kalla from

18-2-91 to 4-9-91 but the patient was not referred to that hospital and that the doctor did not know how the patient was sent to the said hospital. However the actual statement of the doctor is not so. The statement of the doctor is that according to the records available in the dispensary of the colliery at Patmohna, the patient had undergone medical treatment at the Central Hospital at Kalla from 18-2-91 till 4-9-91. It is also the statement of the doctor that this fact has reflected vide the entry against Sl. No. 70 in Book No. 23/91 of the dispensary. The doctor has not at all stated that the patient was not referred to the hospital at Kalla and that he did not know how the patient went to the said hospital. The report of the enquiry is perverse because it reflects something which has not been at all stated by the doctor, as the doctor's statement.

7. As pointed out earlier, according to the categoric statement of the Bill Clerk the workman had availed sick leave for fifteen days in January, 91 and according to the statement of the doctor the workman was under treatment in the Central Hospital of the Company at Kalla from 18-2-91 till 4-9-91. But the enquiry officer completely over-looked these facts and reported that the workman was found to be completely guilty of the charge of continued unauthorised absence. The report of enquiry is, to say the least, completely perverse.

8. The charge-sheet was issued for alleged unauthorised absence from duty from 29-9-90 to 20-12-91. The charge is not correct because it is found from the statement of the Bill Clerk that the workman had availed sick leave for fifteen days in January, 91. Sick leave must be counted towards duty. Accordingly the charge that the workman was absent from duty continuously from 29-9-90 till 20-12-91 is incorrect. Apart from that, as stated by the Medical Officer of the company's dispensary at Patmohna, the workman had been treated in the Central Hospital of the Company at Kalla for almost seven months from 18-2-91 to 4-9-91. His treatment being in the Company's Central Hospital at Kalla, the management is supposed to be aware of the said fact. Apart from that treatment for this period provides justified reason for absence from duty during this period of almost seven months.

9. Thus, it is found that the concerned workman was sick at least from January, 1991 to September, 1991 and that the management was aware of this fact. It is not understood how the company was so careless as to issue the charge-sheet for continued unauthorised absence without intimation from duty since September, 90 till December, 91 by totally overlooking the actual fact that to the knowledge of the management the workman was sick at least from January, 91 to September, 91.

10. The charge-sheet thus appears to have been issued on baseless allegation and accordingly the entire disciplinary proceeding stands vitiated.

11. The concerned workman lost his job because of such baseless charge-sheet and because of such perverse enquiry report by the enquiry officer. (The enquiry officer is one N. R. Mitra, Sr. Personnel Officer in Patmohna Colliery during February, 92.) The management may do well if it would reprimand

the enquiry officer for his callousness and dereliction of duty in submitting the perverse enquiry report.

#### 12. Concluding observation and direction.—

The order of dismissal of the concerned workman named Sri Dilip Turi, Under Ground Loader in Patmohna Colliery, communicated vide dismissal letter dated 15/17-2-92 is not set-aside with direction to reinstate him in service immediately. The intervening period be regularised towards duty. But no order regarding back wages.

The reference is answered accordingly.

R. S. MISRA, Presiding Officer

नई दिल्ली, 14 जून, 1999

का.आ. 1921:—ओर्डोरिंग विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतव्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट और्डोरिंग विवाद में केन्द्रीय सरकार ओर्डोरिंग अधिकारण, आसनसोल के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-99 को प्राप्त हुआ था।

[फाईल सं. एल-24012/176/87-टी. IV (बी)]  
बी.एस.ए.एस.पी. राजू, डैस्क अधिकारी

New Delhi, the 14th June, 1999

S.O. 1921.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of B.C.C.L. and their workman, which was received by the Central Government on 10th June, 1999.

[File No. L-24012/176/87-D-IV(B)]

V.S.A.S.P. RAJU, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 21 of 1998

#### PARTIES :

Employers in relation to the management of Bhojudih Coal Washery of M/s. B.C.C. Ltd.

AND

Their workmen

#### PRESENT :

Shri R. S. Misra, Presiding Officer.

#### APPEARANCES :

For the Employers : Shri R. N. Ganguly, Advocate.

For the Union Workmen : Shri Manoj Mukherjee  
Advocate.

INDUSTRY : Coal STATE : West Bengal  
Asansoi, the 31st May, 1999

#### AWARD

By Order No. L-24012(176)87-D.IV(B) dated 15-2-1988 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) or sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the Management of Bhojudih Coal Washery, P.O. Santaldih, Distt. Purulia by not paying bonus more than 8.33 per cent to their workmen for the year 1985-86, is justified ? If not, to what relief the workmen are entitled ?"

2. The Union's version :—The Bhojudih Coal Washery is a separate and independent unit and its finances are also separate. It maintains separate profit and loss accounts for itself and its yearly balance-sheet is also independent and separate. Therefore bonus to the workmen employed in the said unit is to be paid on its independent performance and capacity utilisation. In the financial year 1985-86 this unit achieved maximum capacity utilisation and earned high profits. Therefore its workmen are entitled to 20 per cent of their wages as bonus for the year 1985-86. But the management of the unit declared only 8.33 per cent i.e. the minimum permissible bonus. Hence the dispute.

3. The management's version :—The Hindustan Ltd. which was wholly financed by the Central Government and which was subsequently renamed as Steel Authority of India Ltd., set up long back four Coal Washeries namely Duga-I, Duga-II and Pathardih in Bihar and Bhojudih Washery in Purulia District in the State of West Bengal. For the sake of co-ordinated central management and administration all the four coal washeries were placed under one central organisation named Central Coal Washeries Organisation located at Dhanbad in Bihar. On nationalisation of coking coal mines in 1972 and on creation of B.C.C.L., consequent upon such nationalisation, the Central Coal Washeries Organisation including the washeries were transferred to and entrusted to the B.C.C.L., by the Steel Authority of India Ltd. This was done in pursuance of a decision by the Central Government subsequently a tripartite settlement dated 29-10-1983 was entered into between the representatives of the Central Coal Washeries Organisation and the Coal Washeries Workers' Union (INTUC) regarding the service conditions of the workers after such transfer of management. According to clause 16 of the said settlement payment of annual bonus, which had been made U/s 31-A of the payment of Bonus Act, to the employees of the Central Coal Washeries Organisation, would continue to be received on production/productivity linked Bonus formula. The settlement is binding on the employees of the Bhojudih Coal Washery and accordingly they cannot now claim that the said washery is a separate unit independent

of the Central Coal Washeries Organisation and can not accordingly demand bonus on separate and independent capacity utilisation by this unit. They are entitled to bonus depending on capacity utilisation of the whole organisation including all the four washeries. In fact a similar dispute on the question whether the Bhojudih Coal Washery had to be treated as an independent establishment separately from the Central Coal Washeries Organisation of its then management (H.S.L.) for payment of bonus, was referred to the Central Government Industrial Tribunal at Calcutta by the Government of India, Ministry of Labour, by Order No. 8/81/69-LR. II dated 24-11-69 for adjudication and the Tribunal gave the award that Bhojudih Coal Washery was not to be treated as a separate establishment of the Central Coal Washeries Organisation and that it was to be treated as a part of the Central Organisation for the purpose of payment of bonus. This award is still binding on the workmen employed in the Bhojudih Coal Washery and so payment of bonus to them is to be decided on consideration of the combined production/productivity of all coal washeries of the Central Organisation. Therefore the claim by the espousing union is not at all entertainable.

4. Alleged facts of the rival cases of the parties give rise to and project a singular question, the answer to which would determine the dispute under the reference. The question is whether for the purpose of payment of bonus, Bhojudih Coal Washery is to be treated as a separate establishment independent of the Central Coal Washeries Organisation or it is to be treated as a part of the Central Organisation.

5. The union does not dispute the contention advanced by the management that if production/productivity of the entire Central Organisation is to be taken into consideration, the bonus for the year 1985-86 would not be more than the minimum permissible 8.33 per cent. There is also no dispute about the fact that payment of bonus is production/productivity linked and is accordingly to be made U/s. 31-A of the payment of Bonus Act.

6. The law regarding the binding effect of tripartite settlements and awards has been laid down in Sec. 8(3) of the Industrial Disputes Act. The provision therein is as follows :—

"A settlement arrived at in the course of conciliation proceedings under this Act for an arbitration award in a case where a notification has been issued under sub-section (3-A) of Section 10-A1 or an award (of a Labour Court Tribunal or National Tribunal) which has become enforceable shall be binding on—

(a) all parties to the industrial dispute;

(b) all other parties summoned to appear in the proceedings as parties to the dispute, unless the Board, (arbitrator), (Labour Court, Tribunal or National Tribunal), as the case may be, records the opinion that they were so summoned without proper cause."

- (c) where a party referred to in clause (a) or clause (b) is an employer, his heirs, successors or assigns in respect of the establishment to which the dispute relates;
- (d) where a party referred to in clause (a) or clause (b) is composed of workmen, all persons who were employed in the establishment or part of the establishment, as the case may be, to which the dispute relates on the date of the dispute and all persons who subsequently become employed in that establishment or part."

There is no dispute that the Steel Authority of India Ltd. is the successor of the H.S.L. and that B.C.C.L. is the successor of the SAIL in respect of the Central Coal Washerries Organisation which constitutes the earlier mentioned four coal washeries. Therefore if, as claimed by the management, a tripartite settlement dated 29-10-1983 had taken place between the representatives of the Central Coal Washerries Organisation and the Coal Washerries Workers' Union (INTUC), the espousing union is bound by it, provided of course if it is not yet terminated. Similarly if there was a similar reference to the Central Government Industrial Tribunal at Calcutta and if an award was passed by it, the same would be still binding on the espousing union, in view of the aforesaid provision in Sec. 18(3) of the I.D. Act.

7. A copy of the Gazette publication of the award dated 24-7-1970 in Reference No. 105 of 1969 by the C.G.I.T., Calcutta has been brought into evidence as Ext. W-2 on admission. On perusal of the Award it is found that the Reference to the Tribunal consisted of two parts and part (a) of the Reference was as follows :—

"Whether Bhojudih Coal Washery is to be treated as a separate establishment of the Central Coal Washerries Organisation of M/s. H.S.L. for payment of bonus? If not to what relief are the workmen employed at Bhojudih Coal Washery of M/s. H.S.L. entitled in regard to payment of bonus under the said Act."

The final Award by the said Tribunal on this reference was that Bhojudih Coal Washery was not to be treated as separate establishment of the Central Coal Washerries Organisation of M/s. H.S.L. for payment of bonus under the payment of bonus Act and that it was to be treated as a unit of the Central Coal Washerries Organisation. This Award is still admittedly operative and so it is binding on the espousing union.

8. A photocopy of the earlier mentioned tripartite settlement dated 29-10-1983 has been brought into evidence on admission as Ext. M-8. Its continuing effect is not denied by the union and so it is binding on the union. Clause 16 the said settlement clearly says that employees of the C.C.W.O. would continue to get the benefit of production/productivity linked bonus, as adopted till then. This settlement is between the representatives of the Central Coal Washerries Organisation and the Coal Washerries Workers' Union (INTUC). This binding clause of the settlement also reveals that for payment of bonus the whole

central organisation is to be taken into consideration and that a single washery under it cannot be separately taken into consideration for payment of bonus to workers employed in it.

9. Thus it is found that there is absolutely no scope for such a dispute by the espousing union in view of the binding position that for the purpose of payment of bonus, Bhojudih Coal Washery cannot be treated as a separate establishment independent of the Central Coal Washerries Organisation and that it has to be treated as a part of the Central Organisation.

10. The management was accordingly justified to pay bonus to the workers of the Bhojudih Coal Washery on consideration of the production/productivity of the entire central organisation, which constitutes all the four washeries. It may be repreated here that the union does not dispute the proposition that on such consideration the bonus for 1985-86 would not be more than 8.33 percent. The claim by the union that the rate of bonus is to be decided on treating Bhojudih Coal Washer is an independent establishment is not entertainable.

11. The action of the management of Bhojudih Coal Washery by not paying bonus more than 8.33 per cent to their workman for the year 1985-86 is justified.

The reference is answered accordingly

R. S. MISRA, Presiding Officer

नई दिल्ली, 14 जून, 1999  
का. आ. 1922—श्रोतोगिक विवाद अधिनियम, 1947  
(1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रोतोगिक विवाद में केन्द्रीय सरकार श्रोतोगिक अधिकारण, आसनसोल के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-99 की प्राप्त हुआ था।  
[फाइल नं. एल-22012/175/97-आई.आर. (सी-II)]

वी.एस.ए.एस.पी. राजू, डैस्क अधिकारी

New Delhi, the 14th June, 1999  
S.O. 1922.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of B.C.C.I. and their workmen, which was received by the Central Government on 10-6-99.

[File No. L-22012/175/97-IR(C-II)]

V.S.A.S.P. RAJU, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

#### REFERENCE NO. 40 OF 1998

Parties :

Employers in relation to the management of Damagoria

Celliery of M/s. B.C.C. Ltd.

AND

Their workmen

Present :

Shri R. S. Mishra, Presiding Officer.

Appearances :

For the Employers : Shri P. K. Mahapatra, Deputy Personnel Manager of C. V. Area.

For the Union/Workman : Shri Subhas Kumar Singh, Branch Secretary of the Union.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 31st May, 1999

#### AWARD

By Order No. L-22012/175/97-IR(C-II) dated 30-7-1998 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Damagonia Colliery of M/s. B.C.C. Ltd., in dismissing Sh. Obilal Majhi is justified? If not, to what relief is the workman concerned entitled?"

2. The union's version :—The concerned workman had been working as an Excavation Helper in Damagonia Colliery and he was chargesheeted on 7-8-1995 for unauthorised absence from duty since 19-4-1994 till the date of chargesheet i.e. till 9-8-1995. After a so-called enquiry he was dismissed from service. Of course the workman had absented from duty, but the reason for his not coming to duty was the apprehension of possible physical harassment by a few money-lenders. The Enquiry Officer had found during his enquiry that this was the reason for which the concerned workman could not come to attend his duty. Money-lenders had been playing havoc with the poor workers working in the colliery and although such harassment by money-lenders was brought to the notice of the management, it had not taken any welfare measure to give protection to the workmen. Therefore the money-lenders had become fearless and had been openly causing physical harassment to the workers in that area. Out of fear of such physical harassment the workman could not come to attend his duty. It is a humanitarian reason and on its basis the workman had requested the management to pardon him. The punishment of dismissal is totally unjustified.

3. The Management's version :—The concerned workman had absented from duty since 19-4-1994 till the date of chargesheet and throughout this period of one year and four months he had given no information about his absence from duty much less reasons for the same, to the management. It was a misconduct within the meaning of clause 26 of the certified standing orders of the Company. Therefore he was duly chargesheeted and upon enquiry the Enquiry Officer found him guilty of the charge. Therefore the appropriate punishment of dismissal was awarded to the workman.

4. The preliminary point of validity of the enquiry proceeding was taken up for hearing vide order dated 18-2-1999 and it was disposed of under the said order. It was found that there was no invalidity in the enquiry proceeding. Therefore the final hearing i.e. hearing on the question of justification of the action of dismissal, was taken up on the basis of materials which were available to the management at the time of passing the order of dismissal.

5. The management has produced the record of enquiry proceeding including findings by the Enquiry Officer. On perusal of the same it is found that only the concerned workman was examined as a witness in the whole proceeding and that no other person was examined either on behalf of the management or on behalf of the workman. The following is the relevant statement of the workman in the enquiry proceedings :—

"I, Obilal Maibi, Excavation helper of DCCP, has to say that I was absent from my duty from 19-4-1994 due to the fear of some money-lenders. I did not inform the management due to the fear of the money-lender namely—Sri Ramu Mandir of Daspur, Sri Arjun Hans of Kalyaneshwari and Sri Hari Narayan Rao, an employee of the East Ramnagar Incline.

I was not in position to go out the colliery premises with salary. I had to give the money to the above money-lenders beneath the trees just outside the office gate, after taking salary from the office counter.

I request to the management to allow me to resume my duty and arrange for the payment through Bank."

The Enquiry Officer disposed of the enquiry basing on only the aforesaid admission by the concerned workman that he was absent from duty during the entire period and that he had not given any information regarding his absence to the management. It also appears that the enquiry officer believed the alleged reason for not coming to attend the duty. The Enquiry Officer accordingly gave the report that the charge was established and simultaneously he reported to the management that the reason for not coming to attend the duty i.e. the apprehended physical harassment by the money-lenders might be taken into consideration while imposing punishment.

6. It must be clarified here that the actual Section of the certified standing orders for the misconduct of unauthorised absence is Section 26-1-1. But in the chargesheet though details of the fact of unauthorised absence have been clearly specified, "26.1.15" has been wrongly noted as the section of the certified standing orders under which the workman is charged. The misconduct under Section 26.1.15 is not unauthorised absence and it is something else. Taking advantage of this mistake the union submits that the charge was really not for unauthorised absence and therefore punishment for the misconduct of unauthorised absence is not sustainable. But the contention by the union is not sustainable because it appears that the mistake is the result of only typing error in as much as instead "26.1.1." the figure "26.1.15." has been typed as the relevant section for the specified misconduct of unauthorised absence.

7. For clear understanding of propriety of the enquiry it is necessary to bear in mind that there is absolutely no scope for any kind of doubt regarding absence of the concerned workman from duty during the entire period of roughly one year and four months. He had not attended the duty and accordingly wages were not paid to him for this period. These facts are also bound to be borne out by record of attendance and wage-sheet. The associated questions were whether the workman had given any intimation to the management about his absence from duty and whether there could be any justified reason on the part of the workman for not coming to duty for such a long period.

8. Where the master is such, no fault can be found with the enquiry officer in examining the concerned workman only and in disposing of the enquiry basing on the admission by the workman. Such an approach by the enquiry officer in examining the concerned workman at the beginning and broadly on the subject is rather favourable to the workman because thereby he could get the scope to place justified reason if any for not coming to duty. When the workman admits his guilt, to insist upon the management to let in evidence will be an empty formality (Central Bank of India—Vs.—K. Banerjee, 1966 (2) I.L.T.739 SC). In view of the categorical admission by the concerned workman that he had not attended the duty during the relevant period and that he had not also sent any intimation about his absence from duty to the management, there was absolutely no necessity on the part of the enquiry officer to record evidence from the side of the management on the same admitted facts. Therefore in this case disposal of the enquiry by examining only the concerned workman and by acting only on his statement is appropriate.

9. Normally absence from duty for such a long period of one year and four months without giving any intimation would amount to a serious misconduct calling for very harsh punishment, unless the workman shows existence of extenuating circumstances justifying a lighter punishment or existence of reasonably justified circumstances beyond the control of the workmen which prevented him from giving intimation to the management about his absence from duty.

10. The version of the concerned workman in the enquiry is that he could not attend his duty in the colliery during the entire period for fear of possible harassment by the money-lenders and that he could not give any intimation about his not going to duty, for the same fear. The length of the

period is roughly one year and four months. It is quite preposterous that the workman could not even send a single postal intimation to the management during this lengthy period, for such a fear. Apparently this is a very absurd reason and the management was quite justified in ignoring the said plea, while considering the quantum of punishment to be imposed.

11. The concerned workman is said to have been a member of the union which has espoused the dispute. Apparently there was no protective action from the side of the union against the so-called possible harassment to its members by the (imaginary) money-lenders. The aforesaid plea by the concerned workman, when considered against such a background, is found to be further ridiculous and totally unacceptable.

12. The action of dismissal of the concerned workman named Obiril Majhi by the management of Damagoria Colliery is justified.

The reference is answered accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 14 जून, 1999

का.आ. 1923 :—श्रीद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबंधतान के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक अधिकारण आसनसोल-4 के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-4-99 को प्राप्त हुआ था।

[फाईल सं.एल-22012/330/90-आई.आर. (सी-II)]

वी.एस.ए.एस.पी. राजू, ईरक अधिकारी

New Delhi, the 14th June, 1999

S.O. 1923.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol-I as shown in the Annexure in the industrial dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on the 9-6-99.

[File No. L-22012/330/90-IR(C-II)]

V.S.A.S.P. RAJU, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 52 OF 1997

Present :

Shri R. S. Mishra, Presiding Officer.  
Parties :

Employers in relation to the management of Girmint Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

Appearances :

For the Employer—Sri P. K. Das, Advocate.

For the Workmen—None.

INDUSTRY : Coal STATE : West Bengal  
Dated the 1st May, 1999

#### AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Govt. of India, Ministry of Labour's Order No. I-22012/330/90-IR(C-II) dated 19-8-1997.

"Whether the action of the management of Adjai Colliery under Sripur Area of ECL in not allowing Sh. Jahir Khan, Cap Lamp Mazdoor, to rejoin duty w.e.f. 22-1-77 is legal and justified? If not to what relief is the workman entitled and from which date?"

2. The union neither appears nor takes any step. It seems they are no more interested in the dispute.

3. Hence 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 17 जून, 1999

का.आ. 1924—श्रीद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबंधतान के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक अधिकारण, आसनसोल के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[स. एल-22012/27/96-आई.आर.(सी-II)]

वी.एस.ए.एस.पी. राजू, ईरक अधिकारी

New Delhi, the 17th June, 1999

S.O. 1924.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on the 15-6-99.

[File No. L-22012/27/96-IR(C-II)]

V. S. A. S. P. RAJU, Desk Officer.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 7 OF 1997

PRESENT :

Shri R. S. Misra, Presiding Officer.

PARTIES :

Employers in relation to the management of Chora O.C.P. under Kenda Area of M/s. E.C. Ltd.

And

Their Workmen.

## APPEARANCES :

For the Employers—Shri P. K. Das,  
Advocate.

For the Workmen—Shri M. Mukherjee,  
Advocate.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 8th June, 1999

## AWARD

1. The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012[27]96-IR(C-II) dated 24-2-97.

## SCHEDULE

"Whether the denial of the management of Chora O.C.P. under Kenda Area of M/s. ECL in non-payment of settling allowance and transit leave to Sh. Rabindra Nath Mishra and eight others (list enclosed) on transfer on the pretext of extant T.A. Rules is justified or not ? If not, to what relief the concerned workmen are entitled ?"

2. The Union's Version :—Sl. Nos. 3, 4, 7, 8 and 9 out of the list of concerned workmen were transferred from Kapasara Area to Chora O.C.P. under Kenda Area. Sl. Numbers of 1, 2, 5 and 6 in the list of concerned workmen were transferred from Nirsha Area to the same Chora O.C.P. under Kenda Area. The distance between Nirsha Area and Chora O.C.P. is more than 50 Kilometres. Similarly, the distance between Kapasara Area and Chora O.C.P. is also more than 50 Kilometres. Under the existing system and practice, which had been adopted since long, the distance to the new place being more than 50 Kilometres, the concerned workmen were entitled to settling allowance and transit leave, for their transfer. But the management refused to grant the same. Hence, this Industrial Dispute has been raised.

3. The Management's version is that there is no rule or provision which entitles the concerned workmen to the alleged settling allowances and transit leave.

4. A copy of the Travelling Allowance Rules of the Coal India Ltd. has been filed by the management. Rule 1.4 of the said Rules says that it would be applicable also to subsidiary companies. Admittedly Eastern Coalfields Limited is a subsidiary of the Coal India Ltd. and so the Rules are applicable to the E.C.L. Part-B of the T.A. Rules speaks about journey on transfer. For the sake of better understanding the provision in Rule 13.1.1 in part-B is quoted below.

An employee travelling by road or steamer or air on transfer will be eligible for travelling allowance as indicated below :

## NOTE :

Transfer T.A. will be admissible only in cases where a change of station on transfer is involved. A transfer from Raniganj Coalfields to Jharia Coalfields and vice-versa will be treated as a change of station. A transfer within the Jharia/Raniganj Coalfields from one colliery to another will not be treated as a change of station.

The provision in Rule 13.3.1 says that an employee on transfer from one station to another will be eligible for settling allowance and transfer grant which shall be equivalent to one month's pay. It further says that transfer grant will be given if the shifting of residence is for more than 32 Kilometres and no transfer grant will be given if shifting of residence is not involved.

5. The above mentioned note under Rule 13.1.1 and the aforesaid provision in Rule 13.1.1, together make it very clear that transfer T.A. would be admissible only in cases where a change of station on transfer is involved and the distance between both the stations is more than 32 Kilometres. It appears to be the basic condition or admissibility of transfer T.A. There should not be any confusion because the other part in the note under Rule 13.1.1, which says that a transfer from Raniganj Coalfields to Jharia Coalfields and vice-versa will be treated as a change of station and that a transfer within the Jharia or Raniganj Coalfields from one Colliery to another will not be treated as a change of Station. This is only a note under main Rule and it is not the Rule itself. On keeping this aspect in mind, it becomes absolutely clear that this part of the note is only an illustration for explaining what is understood by change of station. There are several other Coalfields besides Raniganj Coalfields under the E.C.L. and Jharia Coalfields come under B.C.C.L. If more emphasis is given to this second part of the note under Rule 13.1.1, instead of the main provision in the rule itself, the consequential meaning would be that transfer T.A. would be admissible only for transfer from Jharia Coalfields to Raniganj Coalfields and vice-versa and that transfer T.A. would not be admissible for transfer to any other place. But the T.A. Rules say that the Rules are applicable to all the subsidiaries which admittedly include other subsidiaries such as C.C.L., W.C.L., etc. If the aforesaid meaning is adopted, the T.A. Rules would not be applicable to transfers to or from W.C.L. and C.C.L. But the T.A. Rules are applicable also to these subsidiaries. Therefore it is very clear that the note concerning Jharia and Raniganj Coalfields is only an illustration to explain what is understood by change of station and that it is not the Rule itself.

6. The management produced copy of letter No. 1007 dt. 4-10-1993 by the Area Finance Manager of Kenda Area to the Agent of the Chora O.C.P. This letter has been written to the Agent on the question of transfer T.A. to the employees who were transferred from Nirsha Area to the Chora O.C.P. The Area Finance Manager has explained to the Agent that in view of the instruction given by the Deputy Personnel Manager (Establishment) of the Head Office at Santonu vide his letter No. 2279 dated 28-9-1993, the employees are not entitled to transfer grant etc. A

copy of he said letter No. 2279 dated 28-9-1993 was appended by the Area Finance Manager in his letter to the agent of the Chora O.C.P. The relevant portion of this letter issued from the Head Office is as follows :—

"Please note that Transfer T.A. is admissible to Wage Board Employees in the event of their inter subsidiary transfer, not in case of inter Area transfer.

The employees come on transfer from Nirsha Area to your area do not attract the transfer T.A. Rules since transfer is made within E.C.L."

It become clear from this letter that the management did not allow transfer T.A. to the concerned employees on the ground that their transfer was effected within the subsidiary i.e. within E.C.L.

7. But, this ground is not acceptable because, as clarified earlier, transfer T.A. is admissible in cases of change of station involving a distance of more than 32 Kilometres. The T.A. Rules do not say that transfer T.A. is admissible only for transfer

from one subsidiary to another subsidiary. The ground adopted by the management for not granting Transfer T.A. to the concerned employees, is not borne by the T.A. Rules and is rather contrary to the provisions in the T.A. Rules.

8. However, it appears that there is no provision for granting transit leave for transfer, even if it involves change of station. The union has not been able to produce any Rule or instruction under which this alleged benefit is admissible.

#### Concluding Observation and Direction :

9. Denial of the management of Chora O.C.P. under Kenda Area of M/s. E.C.L. in non-payment of settling allowance to the concerned workmen namely Rabindra Nath Mishra and 8 others (as per list) on their transfer to Chora O.C.P., is not justified. They are entitled to settling allowance and transfer grant under Rule 13.1.1 of the T.A. Rules prescribed by the Coal India Limited. The same be paid to the concerned employees within 30 days from the date of operation of this award.

The reference is answered accordingly.

R. S. MISRA, Presiding Officer

Sl.No.	Name of the Workmen	Designation	Transferred From	Transferred
1.	Rabindra Nath Mishra	Dozer Operator.	Baramuri OCP Nirsha Area	Chhora OCP
2.	Rahaman Mia	-do-	-do-	-do-
3.	Rupchand Harijon	E.P. Helper	Kapasara OCP	-do-
4.	Satyejit Chatterjee	-do-	-do-	-do-
5.	Jagadish Mahato	Pay Loader Operator	Nirsha Colliery Nirsha Area	-do-
6.	Sham Mohammad	Drill Operator	-do-	-do-
7.	Mantu Prasad	L/Clerk	Kapasara Area	-do-
8.	Nirbhay Singh	Cableman	Kapasara OCP	-do-
9.	Bittan Kumbhakar	E.P. Helper	-do-	-do-

नई दिल्ली, 17 जून, 1999

का.आ. 1925.—ओर्डोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबंधतन्त्र के संबंध नियंत्रकों और उनके कर्मकारों के बांध, अनुबंध में निर्दिष्ट ओर्डोगिक विवाद में केन्द्रीय सरकार ओर्डोगिक अधिकरण, प्रासनसील के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-99 को प्राप्त हुआ था।

[फाइल सं. एल-22012/69/97-आई.आर. (सी-II)]  
वी.एस.ए. एस. पी. राजू, ईस्क अधिकारी

New Delhi, the 17th June, 1999

S.O. 1925.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as

shown in the Annexure, in the industrial dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on 15-6-99.

[F. No. L-22012/69/97-1R (C-II)]  
V. S. A. S.P. RAJU, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 12 of 1998

PRESENT:

Shri R. S. Misra, Presiding Officer.

PARTIES:

Employees in relation to the management of Khottadih Project of M/s. E.C. Ltd.  
AND  
Their Workman

## APPEARANCES:

For the Employers--None.

For the Workman—Sri S. K. Pandey, Chief General Secretary of the Union.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 7th June, 1999

## AWARD

1. The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1), and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/69/97/IR(CM-II) dated 9-6-98.

## SCHEDULE

"Whether the action of the management of Khottadiah Project under Khottadiah Area of M/s. ECL in denying pay benefit on promotion in Tech. & Suprv. Gr. 'B' to Sh. N. C. Mukherjee, Junior Console Operator is justified? If not, what relief the workman is entitled to?"

2. The Union's Version:- The concerned workmen had been previously working in Clerical Grade-I Category and under a combined order dated 29-4-89 he alongwith 38 others were promoted to the cadre of junior Console Operator in Technical and Supervisory Grade-B. On such promotion his basic pay was fixed at Rs. 1834 per month. Subsequently in October, 1989 one P. K. Mukherjee was promoted from the same Clerical Grade-I to Technical and Supervisory Grade-B and on his promotion his pay was fixed at Rs. 1908 per month. One J. B. Kundu and one P. N. Dutta who were promoted alongwith the concerned workmen under the combined order dated 29-4-89, were junior to him in both the earlier Category of Clerical Grade-I and the promotional Grade of Junior Console Operator. Subsequently, those two employees as well as the concerned workman filed applications before the Competent Authority for stepping up their basic pay to the level of Sri P. K. Mukherjee who was junior to all of them having been promoted subsequently in October, 1989. The prayer for stepping up of pay by Sri J. B. Kundu and Sri P. N. Dutta was allowed and their basic pay was fixed at Rs. 1908 w.e.f. October, 1989 to bring it at par with the basic pay of Sri P. K. Mukherjee in the promotional level. But the prayer by the concerned workman was totally overlooked and the management did not respond even on subsequent approaches by him. Therefore, the union has espoused this Industrial Dispute with the claim that the basic pay of the concerned workman should be stepped up to Rs. 1908 w.e.f. October, 1989 to bring it at par with the basic pay of his juniors.

3. The General Manager of the Khottadiah Project at Pandeswar where the concerned workman had been previously employed, was made a party

to this reference, by the Ministry of Labour. Registered Notice to it by the Tribunal was returned back unserved with the report that the General Manager had left the address. It was found from records that concerned workman was subsequently transferred and posted at Girmint (R) Colliery under Stripuri Area. Therefore, the Agent of the Girmint (R) Colliery was substituted as party to the reference in place of the General Manager of the Khottadiah Project under order dated 10-8-1998 passed by the Tribunal.

In spite of service of registered notice upon the Agent of the Girmint (R) Colliery who is now the substituted management, as reflected by the Postal Acknowledgement Card, the management did not appear and so it was set aside vide order dated 05-10-98.

4. The union placed the combined order of promotion dated 29-4-89 in respect of the concerned workman and his junior Sri J. B. Kundu. The order of promotion in respect of Sri P. K. Mukherjee is also filed by the union. This order has been issued on 19-7-89. Very obviously Sri P. K. Mukherjee is junior to both the concerned workmen as well as Sri J. B. Kundu. Photocopy of letter No. 6114 dt. 25-4-96 by the Personnel Manager of the Khottadiah Area to the General Manager (IR) ECL, Sanctoria, was also filed by the union. Through this letter the Personnel Manager of the Khottadiah Project placed the claim of the concerned workman before the General Manager (IR) of the ECL. This letter clearly reflects that the basic pay of Sri P. K. Mukherjee promoted under the order dated 19-7-89 was fixed at Rs. 1908 and that the basic pay of Sri J. B. Kundu was stepped up to that level.

5. It should be repeated that both Sri J. B. Kundu and Sri P.K. Mukherjee are junior to the concerned workman in the earlier Category of Clerical Grade-I and in the promotional Grade of Junior Console Operator. The available materials establish that the basic pay of the juniors has been fixed at Rs. 1908 w.e.f. October, 1989 in the promotional Grade of Junior Console Operator. The concerned workman being senior to both of them, his basic pay ought to be stepped up to maintain parity with the basic pay of the juniors.

6. Concluding observation and direction:—The concerned workman named Sri N. C. Mukherjee previously working as Junior Console Operator in Technical and Supervisory Grade-B in Khottadiah Project presently working in Girmint (R) Colliery, is entitled to stepping up of his pay to Rs. 1908 per month w.e.f. October, 1989, with consequential future benefits till this date. The up to date differential amount in respect of his enhanced arrears wages be calculated and paid to him within 30 (thirty) days from the date of operation of this award.

The reference is answered accordingly.

R. S. MISRA, Presiding Officer

नई दिल्ली, 17 जून, 1999

का.आ. 1926—ग्रौथोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कुमारडीह 'A' कोलियर के प्रबंधनव के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ग्रौथोगिक विवाद में केन्द्रीय सरकार ग्रौथोगिक अधिकरण आसनसोल के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-6-1999 को प्राप्त हुआ था।

[फाईल सं. एल-22012/144/93-आई.आर. (सी-II)]  
वी.एस.ए.एस.पी.राजू, डैस्ट्रिक्ट अधिकारी

New Delhi, the 17th June, 1999

S.O. 1926.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kumadrihi 'A' Colliery and their workman, which was received by the Central Government on 15-6-99.

[F. No. L-22012/144/93-IR(C-II)]  
V. S. A. S. P. RAJU, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL, ASANSOL  
Reference No. 42 of 1993.

PRESENT:

Shri R. S. Misra, Presiding Officer.

#### PARTIES:

Employers in relation to the management of Kumadrihi 'A' Colliery.

AND

Their Workman

#### APPEARANCES:

For the Employers—Shri P. Banerjee, Advocate.

For the Workman—Shri M. Mukherjee, Advocate.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 8th June, 1999

#### AWARD

1. The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause '(d)' of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/144/93-IR(C-II) dated 25-8-93,

#### SCHEDULE

"Whether the action of the management

Kumadrihi A Colliery under Bankola Area, PO : Ukhra Dist. Burdwan (W.B.) in dismissing Shri Ramanand Harijan, U.G. Loader, vide their letter No. KA/PNL/Dismissal/87/1410 dt. 1/16-11-87 is justified? If not, to what relief the workman is entitled to?"

2. Hearing on preliminary point i.e. on the question of validity or invalidity of the enquiry proceeding was disposed of vide order dated 27-8-97. It was found that in spite of service of the chargesheet on the concerned workman, reply to it was not submitted by him and that in spite of appropriate notice about the proposed enquiry, he did not attend the enquiry proceedings. Ultimately it was found on consideration of all aspects that there was no invalidity in the enquiry proceedings.

3. The chargesheet dated 6-7-1987 was issued to the concerned workman, who was an Underground Loader, for habitual absenteeism during 1985 and 1986 and continued unauthorised absence from duty since 1-1-87. The record reveals that during the enquiry proceeding, photo copies of entries made in Form-G & H vide Rule-53 of the Mines Rules, for the years 1985, 86 & 87 were produced before the E.O. The entries indicate that in the year 1985 the concerned workman had attended his duty for only 106 days and that he had attended his duty in 1986 for only 164 days. It is further indicated by the entries that he had not attended his duty even for a single day in 1987. In the enquiry proceeding, two employees of the company such as a Time Keeper working in the Colliery and a Clerical Staff of the Personnel Department were produced and examined as witnesses on behalf of the disciplinary authority. With reference records, they gave statement supporting the allegations in the chargesheet. It appears that on the basis of legal and appropriate materials, the Enquiry Officer had rightly found the concerned workman guilty of the charges.

4. The punishment of dismissal is not disproportionate to such misconducts and there is also no extenuating circumstance which would warrant a lighter punishment.

5. The action of the management of Kumadrihi (A) Colliery under Bankola Area in dismissing the concerned workman named Sri Ramanand Harijan is justified.

The reference is answered accordingly.

R. S. MISRA, Presiding Officer.

नई दिल्ली, 17 जून, 1999

का.आ. 1927—ग्रौथोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंधनव के भवित्व नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ग्रौथोगिक विवाद में केन्द्रीय सरकार ग्रौथोगिक अधिकरण हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-3-99 को प्राप्त हुआ था।

[F. No. L-22012/144/93-IR(C-II)]  
वी.एस.ए.एस.पी.राजू, डैस्ट्रिक्ट अधिकारी

New Delhi, the 17th June, 1999

S.O. 1927.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C.L. and their workman, which was received by the Central Government on the 31-3-99.

[No. L-22012/400/96-(C-II)]

V. S. A. S. P. RAJU, Desk Officer  
ANNEXURE

**BEFORE THE INDUSTRIAL TRIBUNAL-I  
AT HYDERABAD**

**PRESENT :**

Sri C. V. Raghavaiah, B.Sc., B.L., Industrial Tribunal-I, Hyd.,

Friday the 18th day of December, 1998

**INDUSTRIAL DISPUTE NO. 56 OF 1997**

**BETWEEN :**

The General Secretary,  
SCWU(OITUC),  
P.O. Godavarikhani-505209. . . Petitioner

And

The General Manager,  
M/s. Singareni Collieries Company Limited,  
Ramagundam Area-I,  
Godavarikhanda-505209. . . Respondent.

This case coming before me for final hearing on 15-12-98 in the presence of Sri B. Ganga Ram, representative for the petitioner and M/s. J. Parthasarathy and V. Hariharan, Advocates for the respondent and having stood over to this day for consideration the court passed the following :

**AWARD**

The Government of India, Ministry of Labour, New Delhi, by its Order No. L-22012/400/96-IR (C.II) dated 29-8-97 has referred the following Industrial Dispute U/s. 10(1)(d) and Sub-Section 2(A) of the I.D. Act to this Tribunal for adjudication :

“Whether the demand of the SC Workers Union (AITUC), Godavarikhani for payment of Mine Average Wages instead Category I wages for the period 1-11-89 to 12-4-92 to Sh. Md. Khaja Miya and 7 other Coal Fitters (List enclosed) of SCCL Ramagundam Area I, Godavarikhani is legal and justified ? If so, to what relief are the workmen entitled?”

List :

- (1) Shri Khaia Miya
- (2) Shri Kanukuntla Lingaiah
- (3) Shri Bobbili Mallaiyah

- (4) Shri Bijigiri Shanker
- (5) Shri Banda Lexmaiah
- (6) Shri Gangipalli Kanakaiyah
- (7) Shri K. Muralidhar
- (8) Shri Godisala Narsaiah

Both the parties appeared and filed their respective pleadings.

2. The Central Vice President filed a claim statement contending as follows :

The above mentioned workmen at Sl. No. 1 to 7 working in Godavarikhani-7, incline and the workmen in Sl. No. 8 working in Godavarikhani 8A incline were regularised as piece rated coal fillers with effect from 1-11-89 vide order dt. 12-4-92. They were directed to report to Superintendent of Mines at GDK-I and 8A incline. They are entitled for promotion along with others with effect from 1-11-89 but the management did not do it. After number of representations are made the management rectified its mistake and gave promotions to them in the year 1992 with effect from 1-1-89. They worked from 1-11-89 to 12-4-92 and they were paid category-J wages but they should be paid on the basis of Mine average. The management regularised their services as piece rated coal fillers from the back date of 1-11-89. The management has not paid the mine average basis to them and they have approached the Colliery Manager for the same. The GDK-7 incline was converted from underground to open cast mine and these workmen were transferred to GDK-II incline on 7-5-92 under re-deployment scheme. Due to these transfers they could not ask the management immediately. But they have submitted an application to General Manager on 14-11-93 for the payment of wages on Mine Average Basis for the period from 1-11-89 to 12-4-92. As the management did not take any action, the union took up the cause before the conciliation office. During the conciliation proceedings, the management played delayed tactics stating that the concerned workmen are related to General Manager RG-II and IV. It contended that the General Manager, Ramagundam-II wrote to the G.M., KG-I that since the Badhi Fillers in question are working at GDK-II incline the old records of acting is available at GDK-7 incline. So the management delayed the matter to be settled. It contended that the union represented the dispute before the conciliation officer on 15-7-96. But the conciliation ended in failure which resulted in this preference. Hence the above workmen are entitled for the payment of wages on Mine Average basis from 1-11-89 to 12-4-92.

3. The respondent filed its counter resisting the claim petition. It contended that the reference itself is bad in law as the name of the 8th workman namely Godisola Karimiah had been deleted in the conciliation minutes. It admitted that the workmen at Sl. No. 1 to 7 were working as badhi fillers in erstwhile Godavarikhani-7 incline and the workmen at Sl. 8 working in Godavarikhani 8A. incline. The above 1 to 7 workmen were under the administrative control of the respondent and the workmen at Sl. No. 8 in GDK No. 8A incline is not under the ad-

ministrative control of the respondent. During the period in question the workmen were under the administrative control of General Manager, Ramagundam Area-II. The petitioner union kept quite for so many years without raising the dispute with the management. It admitted that the management rectified its mistake and issues promotion orders to them. When the promotion orders were issued by the management of Ramagundam Area-II the workman in question should have represented their dispute to their management only for payment of Mine Average wages. The workmen themselves performed the lighter jobs of coal filling and hence they are not entitled to Mine Average Wage but only Category-I wage. The workmen in question were engaged on Category-I wages only but not on Mine average basis. Thus none of the 8 workmen in question are under its administrative control at the relevant time. But they are under the control of General Manager, OCP-II and III. The contention of the petitioner that they have submitted the representation on 19-11-93 is not correct. But they have submitted on 12-9-94 only. So it is a belated claim. The union raised the dispute earlier in conciliation and the same was closed before it under file No. 121194-LCI. The conciliation was reopened and in the meeting on 5-8-96 the management specifically stated that the dispute only concern the 7 workmen and not the 8th workman. It finally contended that the 8 workmen in question were only piece rated workers and they not entitled to wages on Mine Average basis. It prayed for dismissing the claim petition.

#### 4. The point for consideration is :

"Whether the above 8 workmen are entitled for payment of Mine Average Wages from 1-11-89 to 12-4-92?"

5. In support of their contention the petitioner examined one of the above 8 workmen by name K. Murlidhar as WW1 and marked Exs. W1 to W6 while the respondent examined its Sri. Personnel Officer, Sri D. Jaya Prakash of the respondent as MW1 and marked Exs. M1 to M7.

6. Point.—The petitioner is seeking for payment of Mine Average Wages from 1-11-89 to 12-4-92 for 8 of the workman out of whom 7 inculding WW1 are working in Godavarikhani-II incline while the 8th workman by name G. Narasiah is working in 8A incline on the ground that they have been appointed as Coal Filler on 12-4-92 with retrospective effect from 1-11-89 as they were earlier working as Badli Fillers and they were paid Category-I wages as Badli Fillers. The contention of the respondent on the other hand is that though they are regularised as Coal Fillers with retrospective effect they are not entitled to Mine Average Wages as against Category-I wages as they opted to work in Category-I wages and do light work and the retrospective appointment does not confer any right to wage which will be paid as the basis of the actual work done according to the post held and the retrospective appointment will confirm only the seniority and other benefits for future promotion etc. and further the claim is made belatedly.

1832 GI/99—36.

7. We have certain admitted facts in this case. WW1 K. Murlidhar, and Khaja Miya, Sri K. Lingaiah, Sri D. Mallaiah, Sri B. Shankar, B. Laxmaiah and D. Kanskaiah are working as Badli Fillers in respondent company, while G. Karsaiah is working in Godavarikhani-8A incline. The other 7 persons are working as Badli Fillers in Godavarikhani-7 incline from 1985 to 1993 having been appointed in the year 1984. All of them were later regularised or promoted as Coal Fillers under Ex. W1 which is same as Ex. M1 Office order dated 12-4-92 with effect from 1-11-89 and directed to report to the Superintendent of Mines, Godavarikhani-II and 8A incline for work and placement. While working as Badli Coal Fillers they were paid category-I wages. After being appointed as regular coal fillers they gave Ex. W2 representation dated 14-11-93 to arrange for payment of average wages for the master jobs done in between 1-11-89 to 12-4-92 instead of Category-I wages paid earlier. The said representation was sent through the union under Ex. W3 covering letter dated 19-11-93. The above persons were appointed as Coal Fillers as they have put in 190 musters as borneout by Ex. W4 particulars of workers in question excluding D. Narasiah who is working in incline 8A. As there was no response for Ex. W2 representation from the management, the concerned workmen through the Vice President of the petitioner sent Ex. W4 representation dated 12-9-94 which is same as Ex. M5 to the Asst. Labour Commissioner Central Government of India, Mancherial, requesting him to arrange for a conciliation proceedings with the management. They also gave Ex. M6 representation on 25-7-95 to the Asst. Labour Commissioner Central-2, Vidya Nagar, Hyderabad for arranging conciliation proceedings. They also gave another representation Ex. W5 dated 15-5-96 while is same as Ex. M7 to the Asst. Commissioner-2, Vidyanagar, Hyderabad for arranging conciliation proceedings. Thereafter conciliation proceedings were held by Asst. Labour Commissioner, Central, Mancherial Camp. But the respondent Management refused to consider the demand of the petitioner's union for payment of Mine Average Wages to 8 workers in question. Ex. M3 which is same as Ex. W6 is the minutes of conciliation proceedings. As the conciliation failed, the conciliation officer sent Ex. M2 conciliations report to the Government of India, Ministry of Labour leading to this reference.

8. As stated above, the case of the petitioners union representing the 8 coal fillers is that they have worked on daily rated jobs during the period from 1-11-89 to 12-4-92 but they were paid Category-I wages only though they are entitled to Mine Average Wages as the piece rated workmen engaged on daily rated wages have to be paid Mine Average Wages. It is the case of the union that on the ground they are Badli Fillers the workmen in question were paid Category-I wages for the above period though they are appointed as coal fillers with retrospective effect from 1-11-89, and 7 of them were transferred to GDK-II incline from GDK-7 incline due to conversion of the same from underground to opencast mine under re-deployment scheme. The case of the respondent on the other hand as stated above is that they are not entitled to Mine Average

Wages for the above period as they worked only as Badli Fillers in Category-I wages and attended to light work on their own request.

9. The evidence of WW1 would show that he is presently working as General Mazdoor in GDK-2 incline and he is giving evidence on behalf of all the other 7 Badli workers. He stated that all of them except G. Narsaiah were appointed in 7th incline in the year 1984 while Narsaiah is working in 8th incline, and all of them are promoted as Coal Fillers on 12-4-92 with retrospective effect from 1-11-89, that as Badli Fillers they worked on daily rated wages in Category-I instead of mine average wages and though they gave representation Ex. W2 to the management but the demand was not accepted and there was delay in making representation as they have been transferred from incline-7 to incline-2 due to the conversion of 7th incline from underground to opencast. His evidence further showed from the date of Ex. W1 order they are however paid daily rated job mine average wages. They sought for intervention of the concerned labour officers for settlement of the matter but the respondent did not consider their demand leading to this reference.

10. It is elicited in its cross examination that the job of the Coal Filler in underground mines is to fill the baskets and load into tubs and in addition to the above work in case of necessity they have to perform the job of coal cutter, trammer and lineman and once those duties are discharged they will be paid Mine Average Wages and after promotion as coal fillers in the year 1992 they gave Ex. W2 representation for payment of difference of wages. He denied the suggestion that as they did not work as Coal Fillers from 1989—92 they are not entitled to Mine Average Wages. He has however admitted that during the above period they were given light job. He denied suggestion that as they did not work as coal fillers they are not entitled to Mine Average wages for the above period and the dispute was unnecessarily raised as the union gave false hope.

11. MW1 who is working as Sr. Personal Officer in the respondent organisation since 22-6-1998 and whose evidence is based on records would show that in coal mines, coal fillers, who act on different categories equivalent to their wages are entitled for Mine Average Wages and Coal Fillers, who never acted on acting jobs are not entitled to Mine Average Wages and further a coal filler who acts on his own request to do light jobs i.e. of Category-I wages they are also not entitled for Mine Average Wages. His evidence further showed that Badli worker is a casual worker and a substitute for payment coal filler who is engaged on coal filling jobs and that as WW1 and others are only Badli, they are not permitted to do acting jobs equivalent to coal filler wages as they are not having enough experience to act on different categories and that permanent coal fillers are placed in category-5 and for a badli to become a permanent workman they have put in 190 musters and it also depends on the existence of permanent vacancy. He stated that the workers in question were promoted in the year 1992 only however with retrospective effect from 1-11-89 and they are not entitled to Mine Average Wages as they have worked in light jobs on their

own request. He also spoke to the conciliation proceedings, etc. and the 8th worker by name Narsaiah who is working in GDK-8A incline is not within the purview of Ramagundam area-1 and his name is included in the reference though not mentioned in the failure report submitted by the Asst. Commissioner Labour. He thus stated that as the workers in question have never acted on different categories but acted in category-1 on their own request they are not entitled to mine average wages. He has admitted in cross examination that if a coal filler works on daily rated and monthly-rated jobs they will be paid mine average wages. He further admitted that coal fillers as well as badli fillers are piece rated workers and there is no agreement or circular by Joint Bi-partite Committee for coal industry that the coal fillers will be paid category-1 wages on light jobs. He admitted further that the file is not containing any application in writing giving by WW1 and other coal fillers that they are willing to work in Category-1 wages and they may be given light job.

12. Thus from the evidence placed on record it is beyond dispute that the 8 workmen in question who were appointed as badli fillers in the year 1984 have been promoted as coal fillers on 12-4-1992 under Ex. M1-W1 but with retrospective effect i.e. from 1-11-89. No reason is forthcoming in the evidence of MW1 as to why workers in question are appointed as coal fillers with retrospective effect. But according to the petitioner union as well as evidence of WW1 as their juniors were promoted they made representation to the respondent organisation and realising the mistake and by way of rectifications of the same they were given appointment as coal fillers on piece rated wages with effect from 1-11-89 under Ex. W1 order of the year 1992. Further coal fillers who opt on their own requests to do light job in Category-1 are not entitled for mine average wages. As per MW1 the workers in question did not give any application in writing that they are ready to work on category-I wages in support of the version that if coal fillers act on his own request to do light job of category-I they are not entitled for mine average wages. Thus there is no material on record except the oral version of MW1 that the workers in question on their own request acted in category-1 wages. I am of the view his evidence to the above effect is not entitled to any credence as his evidence is not based on personal knowledge but on the basis of records and as he is working as personal officer since June 1998 only while the period covered is from 1989 to 1992. As stated above the evidence of MW1 further goes to show that there is no agreement or circular by JBCCI that the coal fillers will be paid category-1 wages on light jobs. The coal fillers who act on daily rated wages but piece rated wages are entitled to mine average wages. No material is placed on record by the petitioner union as to on what dates the workers in question worked on daily rated jobs during the period from 1-11-89 to 12-4-92 is to be entitled for Mine Average wages similarly no material is placed on record by the respondent management that the workers in question acted on Category-1 wages on their own request disentitle them from claiming Mining Average Wages. The management is expected to have record showing on what dates the workers in question called on daily

rated wages on muster jobs but the reasons best known it did not produce to disprove the case of petitioner. I am of the view that the demand of the union that the workers in question have to be paid difference of Mine Average Wages and not Category-1 wages for the days they worked on daily rated jobs during the period from 1-11-89 to 12-4-92 is reasonable and justified.

13. It is however contended by the learned counsel for the respondent that the claim of the petitioner union for payment of different of wages is belated. As such the same cannot be entertained as justifiable reasons were given for making demand after long lapse of time. The contention of the petitioner union on the other hand is that reasons for delay in raising the dispute is that the Ramagundam area II and Area-1 authorities have been disputing the jurisdiction to act in the matter as workers in question worked for relevant period in GDK-7 incline and GDK-8A incline. While after appointment as coal fillers, 7 of them were transferred to GDK-2 as GDK-7 incline was converted into open cast from underground.

14. On a consideration of the material placed on record, I am of the view sufficient explanation was given for delay in making the representation and raising the dispute. The workers in question were given order appointing them as coal filer only on 15-4-92 with back date i.e. 15-11-89. After appointment WW1 and 5 others who were working earlier in GDK-7 incline were asked to work in GDK-2 incline for reasons stated by them. They became entitled to ask for Mine Average Wages only after they were given Ex. W1 or Ex. M1 appointment orders on 15-4-92 and that the said order only enabled them to claim Mine Average Wages on the dates they worked on daily rated jobs during the above period. It has been mentioned in the claim statement at para-3(C) that the workers in question approached the Colliery Manager, GDK-7 incline for payment of Mine Average wages and they waited for some months on the advise of the welfare officer, Colliery Manager. But due to conversion of GDK-7 incline from the underground to open cast they were transferred to GDK-2 incline on 7-5-92. On 14-11-93 they gave representation i.e. Ex. W2 to the General Manager, Ramagundam Area-1 through the proper channel which was forwarded by the union under a covering letter i.e. Ex. W3. As management kept quiet, dispute was raised before an Asst. Labour Commissioner who tried to mediate in the matter but failed ultimately. Thus sufficient reason was given not only in the claim statement but also in the evidence for the delay in making claim for payment of mine average wages. I am of the view that the workers in question are not expected to make claim immediately after they are appointed as coal fillers under Ex. W1 and Ex. M1. In the meanwhile some of the workers in question were transferred from GDK-7 incline to GDK-2 incline and it would have taken some more time for them to know who is the proper authority to whom they have to make representation. I am of the view that merely because of there was some delay in making representation with regard to payment of Mine Average Wages for the work done on muster job etc. I am of the view that the petitioner cannot be

denied the same if they are entitled to it, and the management cannot escape from liability on the ground of delay which has occasioned due to transfer of some of the workers in question from one incline to another incline for reasons beyond their control i.e. from one area of Ramagundam to another area of Ramagundam like area-1 and area-2. I therefore reject the contention of the respondent management that as the claim is belated they are not entitled for the relief sought for.

15. I also reject the contention of the respondent that 8th worker is not under its administrative control as the management is the same.

16. Hence on a consideration of the material placed on record and due to paucity of evidence placed on record by both the parties and as there is no material on record to show that the workers in question on their own request got allotted light work and worked in Category-1 wages, I am of the view that they are entitled for the difference of mine average wages and category-1 wages on the dates they worked on daily rated jobs between 1-11-89, to 12-4-92. I therefore feel that the demand raised by the petitioner in this regard is reasonable and justified. The point is hence answered accordingly.

17. In the result, an award is passed directing the respondent management to pay difference of mine average wages and Category-1 wages to the workers in question for the days they worked on daily rated jobs during the period from 1-11-89 to 12-4-92 after verification of necessary records.

Dictated to the Sr. Stenographer, transcribed by her, corrected by me and given under my hand and the seal of this Tribunal, this the 18th day of December, 1998.

G. V RAGHAVAIAH, Industrial Tribunal-I  
Appendix of Evidence

Witnesses Examined  
for the Petitioner :

WW1 : K. Muralidhar

MW1 : B. Jaya Prakash

Documents marked for the Petitioner|Workman

Ex. W1 Promotion order dt. 12-4-92 issued to S|Sri Khaja Miya and 7 others as coal fillers on piece rated with effect from 1-11-89.

Ex. W2 Representation dt. 14-11-93 given by the workmen regarding arrange to pay average wages for work dues on muster job as per the practice.

Ex. W3 Representation dt. 19-11-93 made by the union to the management regarding payment of average wages to coal fillers on muster job.

Ex. W4 Representation made to ALC(C) Mancherial, dt. 12-9-94.

Ex. W5 Representation dt. 15-7-96 made to ALC, Hyderabad by the union.

- Ex. W6 Minutes of Conciliation dt. 5-8-96.  
Documents marked for the Respondent Management.
- Ex. M1 Office Order dt. 12-4-92 issued to the petitioners appointing them with effect from 1-11-89 by General Manager RG-II as Coal Fillers.
- Ex. M2 Failure Report dt. 19/22-8-96.
- Ex. M3 Conciliation proceedings dt. 5-8-96.
- Ex. M4 Particulars dt. 23-12-91 of Seven badlies and their actual attendance particulars.
- Ex. M5 Representation dt. 12-9-94 made to ALC, Mancherial.
- Ex. M6 Representation made to ALC(C), Hyderabad dt. 25-7-95.
- Ex. M7 Representation dt. 15-7-96 made to ALC(C)-II, Hyderabad.

### INDUSTRIAL TRIBUNAL-I, Hyd.,

नई दिल्ली, 9 जून, 1999

का.आ. 1928.—आंशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सदर्न रेलवे पालघाट के प्रबंधतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट आंशोगिक विवाद में आंशोगिक अधिकरण पालघाट के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-6-1999 को प्राप्त हुआ था।

[सं. एल-41012/262/95-आई.आर. (बी-1)]  
सनातन, डेस्क अधिकारी

New Delhi, the 9th June, 1999

S.O. 1928.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Palakkad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Rly., Palghat and their workmen, which was received by the Central Government on 9-6-1999.

[F. No. L-41012/262/95-IR(B-1)]  
SANATAN, Desk Officer

### ANNEXURE

#### IN THE COURT OF THE INDUSTRIAL TRIBUNAL, PALAKKAD

(Tuesday, the 11th May, 1999/21st Vaisakha, 1921)

#### PRESENT:

Sri B. Ranjit Kumar, Industrial Tribunal.  
Industrial Dispute No. 35/97(C)

#### BETWEEN

1. The Divisional Personnel Officer, Southern Railway, Palakkad.
2. The Ministry of Railways, Rail Bhavan, New Delhi.  
(By Adv. Raji Vijayasankar).

#### AND

Shri V. G. Krishnan, C/o C. P. Menon, Southern Railway Labour Union, Edappally North, Cochin-682021.

(By Sri C. P. Menon).

#### AWARD

The Government of India, Ministry of Labour as per order No. 41012/262/95-IR (B.I.) dated 9-3-1997 referred the following issues for adjudication :

"Whether the action of the management of DPO/S. Rly./Palghat in terminating the services of Shri V. G. Krishnan (Casual Labourer worked under PWI/Shoranur) on 3-9-1985, is justified, if not, to what relief the concerned workman is entitled to?"

#### Pleadings of the Workman

2. The contention of the workman as set out in the claim statement dated 30-8-97 is that he was get out of employment from 21-2-85 onwards by Permanent Way Inspector, Shoranur without giving him any notice. According to workman, he was employed under PWI, Shoranur for open line work and not for project work as alleged by the management. The workman would further submit that he was eligible for temporary status after completing 120 days continuous service and on attainment of temporary status, he was further eligible for CPC scale of pay. However, he was denied that benefit. His further contention is that as per Railway Establishment Manual Chapter 23 Rule 2301(1), a temporary railway servant could be terminated only by giving 14 days notice. He would also submit that the termination of his services is in violation of the provisions of chapter V-A and V-B of the Industrial Disputes Act, 1947 and 15 persons who are junior to him are now continuing in service and hence there is violation of Section 25-G of the I.D. Act also. He was not given one month's notice in writing indicating the reasons for retrenchment or notice pay. His prayer is for an award directing the management to reinstate him in service with all benefits.

#### Pleadings of the Management

3. The management has filed written statement dated 4-3-98 and additional statement dated 25-9-98. According to management, the workman was last employed under the Permanent Way Inspection, Special Works, Shoranur and not under the Permanent Way Inspector, Shoranur. The two authorities referred to above, the nature of services and entitlement thereof are all different as the casual labour services under the former comes within the term 'project' and the latter under 'open line'. According to management, the claim is lacking bona fides and this Industrial Dispute is liable to be dismissed. The further contention of the management is that this Industrial Dispute is liable to be dismissed for delay and laches as the alleged termination of service was in 1985 and the Industrial Dispute has been raised only in 1993. On the merit of the dispute, the management would submit that the workman was initially engaged as a casual labourer on daily wages under the Permanent Way Inspector, Coonoor and he used to remain absent unauthorisedly and that between 22-12-79 and 21-1-1981 he was in employment for 108 days with intermittent breaks in service. Thereafter, he was engaged as a casual labourer on daily wages for a short spell of 16 days under the Permanent Way Inspector, Coimbatore North from 30-11-81 to 20-12-81. According to management, the above services were on the 'open line' and were not continuous due to unauthorised absence. Thereafter, the workman was engaged as a casual labourer on daily wages under the Permanent Way Inspector, Special Works, Shoranur on 28-4-1982 that comes within the term 'project' as distinct from the earlier service which was on the 'open line'. His service from 28-4-1982 was also an interrupted one due to various spells of unauthorised absence. According to management, the workman remained absent on 20-2-1985 (close of the wage period ending on 20-2-1985) and never reported for duty thereafter and that since the workman was only a casual labourer on daily rate of wages it was not possible to take action under Discipline and Appeal Rules and that his services were terminated for long unauthorised absence as per Memorandum No. E. 8 dated 3-9-85 issued by the Assistant Engineer, Shoranur as could be established from the casual labour card. The management would further submit that the above termination of service of a casual labourer is not a case of retrenchment under Section 2(eo) of the I.D. Act. It is further submitted

by the management that the engagement and the entitlement of casual labourers are entirely different from that of regular railway servants. The casual labourers are engaged locally to supplement regular railway servants in the exigencies of work or to execute special works or projects. They are engaged under sanction specifically obtained from time to time as and when works of casual nature are available. Their services are liable to be terminated either when they absent themselves or on completion of the work for which they were engaged or on the expiry of the sanction under which they were engaged. The management would further submit that for Open Line Casual Labourers the entitlement of temporary status was available from 1-1-1961 whereas in the case of Project Casual Labourers there was no scheme for grant of temporary status until a scheme was introduced with effect from 1-1-81 by Railway Board's letter dated 11-9-1986 on the basis of the Judgment of the Hon'ble Supreme Court in Inderpal Yadav's case. According to management, though on attainment of temporary status casual labourers will be entitled to 'certain privileges' on par with temporary railway servants their status as such will not be changed until they are absorbed against regular posts after empanelment and the casual labourers on daily wages are not covered by the Discipline and Appeal Rules but on attainment of temporary status they are covered by the said Rules.

4. The management would further submit that the workman herein never had the required continuous service in open line to become entitled to temporary status. His service on the open line under Permanent Way Inspector at Coonoor and Combaroor North was an interrupted one due to spells of unauthorised absence and he was not in employment continuously for 120 days and therefore he was not entitled to temporary status as an open line casual labourer. His service under the Permanent Way Inspector, Special Works, Shoranur which is a 'Project' also was not continuous but with intermittent breaks due to unauthorised absence. According to management, he never had the continuous service of 360 days in the project and therefore he was not entitled to temporary status as a project casual labourer also. Since he was not entitled to temporary status, Chapter 23, para 2302(1) of Indian Railway Establishment Manual is not applicable in his case. Regarding the claim of entitlement of notice or notice pay under the provisions of the I.D. Act, the management would submit that the workman did not complete one year's continuous service as defined u/s 25-B of the Act and therefore he was not entitled to notice or notice pay in lieu of it as provided u/s 25-F of the Act. According to management, a bald statement that 15 juniors of the workman are continuing in service is not sufficient enough to invoke the provisions u/s 25-H of the Act.

5. It is further submitted by the management that in terms of the Judgment of the Hon'ble Supreme Court in Inderpal Yadav's case, the Railway Board have framed a policy for re-engagement/absorption of the retrenched project casual labourers on the principle of 'last come first go' as enumerated in Sec. 25-G of the I.D. Act and the names of all project casual labourers who were retrenched on or after 1-1-1981 for want of work or on completion of work have been included in the Live Casual Labour Register (Project). Similar Register was also required to be maintained for open line casual labourers. As regards those retrenched for want of work or on completion of work before 1-1-1981, in terms of the order of the Hon'ble Supreme Court dated 23-2-87 in W.P. No. 332/1986, Railway had issued notification calling for representations for inclusion of names in a separate register known as "Supplementary Live Register." Those who had responded to the notification before 31-3-1987 with adequate documents in proofs of their service were included in the said Supplementary Register for being considered for re-engagement/absorption only after exhausting those in the Live Register. However, on the basis of the order dated 19-6-96 of the Hon'ble Central Administrative Tribunal, Ernakulam Bench in O.A. No. 1706/94, the Live Register and Supplementary Live Register have been merged and a combined Live Register has been published in Palghat Division on 17-9-96. The said register contains the names of 2284 ex-casual labourers who are waiting for re-engagement/absorption, arranged according to their length of service (Number of days worked). The seniormost in the said list has put in a service of as high as 2748 days who is waiting for re-engage-

ment. The management would submit that even according to his own statement, the workman had put in only 1034 days service and there are 188 persons who have put in more than 1034 days of service. It is further submitted by the management that the Permanent Way Inspector, Special Works, Shoranur where the workman had last worked was closed after completing the work entrusted with that unit and hence the relief of reinstatement and back wages claimed in this dispute are liable to be dismissed.

#### Evidence.

6. The workman himself was examined as WW1 and Ext. WI-W5 documents were marked in support of his contentions. The management did not adduce any evidence.

#### Points to be considered.

In view of the contentions urged by either side, the following points arise for consideration :—

- I. Whether this industrial dispute is maintainable ?
- II. Whether the workman had attained temporary status ?
- III Whether the termination of services of the workman is in violation of the provisions of Railway Establishment Manual ?
- IV. Whether the termination of service of the workman is in violation of the provisions of Industrial Disputes Act, 1947 ?
- V. Relief to which the workman is entitled.

#### Point No. I.

7. The first contention raised by the management is that this Industrial Dispute should not be entertained as there are delay and laches on the part of the workman. It is true that the alleged termination of services of the workman was on 21-2-85 as per memo dated 3-5-85 and he has raised this dispute before the Conciliation Officer (Assistant Labour Commissioner (C), Ernakulam) only in 1993. The workman (WW1) has stated in cross-examination that he had made complaint to the management during the period between 1985 and 1993 regarding denial of employment and due to paucity of funds he was not able to take legal action in the matter. He has also stated that the copies of complaints he had submitted to the management were not available with him. The management has not contradicted the above testimony of the workman by adducing any evidence. In the circumstance, it has to be held that the workman had made complaint regarding denial of employment at appropriate time and the delay in raising the industrial dispute was for valid reason.

8. As far as an industrial dispute is concerned, there is no limitation for raising the same under the Industrial Disputes Act, 1947. Even if there is inordinate delay in raising the industrial dispute that cannot be taken as a ground for refusing the adjudication of that dispute. I am of the view that if the aggrieved workman is in a position to prove his case with supporting materials to the satisfaction of adjudicator, his genuine claims cannot be rejected. However, the delay may disentitle him to claim backwages. This view is fully supported by the decision of the Supreme Court in Ajaib Singh V/S. Sirhind Co-Op. Marketing-Cum-Processing Service Society Ltd. — 1999 AIR SCW 1051 in which it has been held as follows :—

- “9. In Jai Bhagwan V. Management of the Ambala Central Co-operative Bank Ltd., AIR 1984 SC 286 this Court declined to set aside the order of reinstatement of the workman who was shown to have approached the Court after a prolonged delay. However, in the circumstances of the case, the court directed the workman to be reinstated in service with continuity from the date on which his services were terminated but having regard to the fact that he had raised the industrial dispute after a considerable delay without doing anything in the meanwhile, he was not awarded the back wages. The grant of half back wages from the date of termination of service until the date of

order and full backwages from that date till his reinstatement was found in the circumstances to meet the ends of justice. In H.M.T. Ltd. v. Labour Court, Ernakulam, 1994 Lab LR 720 (SC) where there was a delay of 14 years in invoking the jurisdiction of the Court, this Court found that instead of full back wages, the grant of 60 per cent of the backwages upon the reinstatement of the workman would meet the ends of justice.

10. It follows, therefore, that the provisions of Article 137 of the Schedule to Limitation Act, 1963 are not applicable to the proceedings under the Act and that the relief under it cannot be denied to the workman merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence. No reference to the Labour Court can be generally questioned on the ground of delay alone. Even in a case where the delay is shown to be existing, the Tribunal, Labour Court or board, dealing with the case can appropriately mould the relief by declining to grant back wages to the workman till the date he raised the demand regarding his illegal retrenchment/termination or dismissal. The Court may also in appropriate cases direct the payment of part of the back wages instead of full back wages."

9. As in the case of industrial dispute under the Industrial Disputes Act, 1947 there is also no time limit for filing writ petitions under articles 226 of the Constitution before the High Court. The Supreme Court has recently held in State of U.P. and Others V/S. Raj Bahadur Singh — 1999 SCC (L&S) 252 that the writ petitions should not be dismissed merely on the ground of delay as there is no time limit for filing writ petition and all that the court to see is whether the laches on the part of the petitioner are such as to disentitle him to the relief claimed by him. I am of the considered opinion that the above law laid down by the Supreme Court would squarely apply in the case of industrial disputes coming for adjudication under the provisions of Industrial Disputes Act, 1947.

10. In the case at hand, the workman has produced the relevant materials in support of his claim and hence I am of the view that if at all there is delay or laches on his part in raising the industrial dispute that cannot be considered as a ground for rejecting his claim or refusing adjudication. The management has not shown any prejudice that may be caused to it by the adjudication of this dispute. The preliminary issue as to the delay is, therefore, found against the management.

#### Point No. II.

11. On the merit of the dispute, the contention of the management is that the workman was initially engaged as casual labourer on 'open line' between the period from 22-12-79 to 21-1-81 for 108 days with intermittent breaks in service and he was again engaged on 'open line' for short spell of 16 days from 20-12-81. Therefore, during this period ending on 20-12-81 he had not qualified for the attainment of temporary status. A perusal of Ext. W2 casual labour service card shows that the above submission of the management in regard to the number of days worked by the workman is correct.

12. According to management, the further engagement of the workman with effect from 28-4-82 comes within the term 'project' as distinct from the earlier service which was on the 'open line'. According to the management, for open line casual labourers the entitlement of temporary status was available from 1-1-1961 whereas in the case of project casual labourers there was no scheme for grant of temporary status until a scheme was introduced with effect from 1-1-1981 by Railway Board's letter dated 11-9-86 on the basis of the Judgment of the Supreme Court in Inderpal Yadav's case. The management has not produced the above letter dated 11-9-86 before this Tribunal. The contention of the management is that while an open line casual labourer who had completed 120 days service would be entitled to temporary status, a project line casual labourer

should complete 360 days service for attainment of temporary status. The above contention of the management is also not supported by any evidence.

13. According to workman, casual labourers who have completed 120 days service are entitled to the temporary status as well as CPC scale of pay. The workman has produced Ext. W5 pay slips issued to him. From Ext. W5 pay slips, it is seen that the workman had been given the CPC scale of pay for the wage period ended on 20-9-84. In the pay slip issued for the wage period ended on 20-9-9-84 the rate of wages is shown as Rs. 190/- which is monthly rate. As per the pay slip issued for the next wage period, the monthly rate had been disallowed stating that he had absented from duty for more than 20 days. Thereafter, he had been given only daily rate of wages. This shows that he had been once given the temporary status in 1984. A perusal of Ext. W1 and W2 casual labour service cards shows that the workman had worked under the management for all the days in certain months without any rest-day or weekly holiday. The workman had admitted that he could not report for duty in time on certain days and this may be the reason for marking absence in Ext. W1 & 2. It is quite natural that a person who had worked continuously without rest may not be able to report for duty in the early morning on certain days due to ill health. It is not at all fair on the part of the Railway management to insist that casual workers should work on all the days in a month without any rest day or weekly holiday especially when para 2509 of Railway Establishment Manual envisages that all casual labours shall be given periodic rest with pay in terms of Rule 23(1) of the Minimum Wages (Central) Rules, 1950 or the Hours of Employment Regulations. Therefore, I find that the absence of the workman on certain days cannot be considered as wilful or deliberate or unauthorised. A perusal of Ext. W1 and W2 casual labour service cards further shows that he had worked more than 120 days during different periods of six months before he was denied employment on 20-2-85. He had also worked for more than 240 days in every year during 28-4-82 to 20-2-85. Therefore, I have no hesitation in coming to the conclusion that the workman had already attained the temporary status much prior to 20-2-85.

#### Point No. III.

14. In view of my finding that the workman had already attained the temporary status much prior to his termination of services, he could not be treated as a casual labourer. A reading of the definition of Temporary Railway Servant as given in para 2301 of the Railway Establishment Manual reveals that once a workman has attained temporary status he cannot be considered as a casual labourer or contract/part time employee. Para 2301 runs as follows :—

"2301. Definition—A "temporary railway servant" means a railway servant without a lien on a permanent post on a Railway or any other administration or office under the Railway Board. The term does not include "casual labour", "a 'contract' or "part-time" employee or an "apprentice".

15. According to para 2302 of the Railway Establishment Manual, it is mandatory to give 14 days notice or notice pay for termination of service of a temporary railway staff. Admittedly, in the present case, no notice or notice pay as provided under para 2302 was given to the workman. Therefore, the termination of service of the workman with effect from 21-2-1985 is in violation of para 2302 of the Railway Establishment Manual. Point No. III is found accordingly.

#### Point No. IV.

16. The next point to be considered is whether the termination of services of the workman or his non-employment with effect from 21-2-85 amounts to retrenchment within the meaning of Section 2(00) of the I.D. Act. Though it is contended by the management that the workman was engaged in project work/special work they had not adduced any evidence in support that contention. It is true that in Ext. W1 and W2 casual labour service cards, the address of the Permanent Work Inspector is shown as "Special Works, S. Rly. Shoranur". However, it is not the case of

the management that the special works had already been completed when the management issued memorandum No. E8 of 3-9-85 terminating the services of the workman due to the alleged long absence. According to workman, he has not received the above memorandum. It is noted in Ext. W2 service cards that "service terminated dues to long absent vide AGR/SRR memorandum No. E8 of 3-9-85."

17. In view of the decision of the Supreme Court in D. K. Yadav V/S J.M.A. Industries Limited (1993)—83 FJR 271, the termination of services for the reason of unauthorised absence will also amount to "retrenchment" within the meaning of Section 2(00) of the I.D. Act. It is not the case of the management that the termination of the services of the workman was for the reason of completion of the socalled special works or that his engagement was for a specific period. Para 2514 (a) (II) of Railway Establishment Manual stipulates that a direct written communication to the worker will be necessary, whenever he is appointed for a specific period. In the present case, no such communication had been issued to the workman. Therefore, sub clause (bb) of Section 2(00) is not applicable in the present case. For the very same reasons, the decision of the Kerala High Court in Narmada Building Materials (P) Ltd. V/S. Devasy relied on by the learned counsel for the management is also not applicable. Therefore, I find that this is a case of retrenchment within the meaning of Section 2(00) of the I.D. Act.

18. As per the decision of the Supreme Court in D. K. Yadav case, if the termination of services was for unauthorised absence, it is necessary to give the workman an opportunity for personal hearing. Once the Railway-management had taken a positive action for terminating the services of the workmen, it was incumbent upon it to comply with the principles of natural justice. Admittedly, in the present case, not even a notice was served on the workman regarding the termination of his service. The management had only noted in Ext. W2 casual labourer service card that his services were terminated due to long absence. Therefore, I find that the procedure followed by the management in terminating the services of the workman is in violation of the principles laid down by the Supreme Court in D. K. Yadav case (Supra) and hence illegal.

19. From Ext. W2 casual labour service card, it is seen that the workman had worked for 293-1/2 days preceding 21-2-85. Therefore, he had completed one year continuous service within the meaning of Section 25-B of the I.D. Act preceding the date of denial of employment and the provisions of Section 25-F of the I.D. Act are applicable and it was mandatory for the management to give him one month's notice or one month's wages in lieu thereof and also compensation at the rate of 15 days' wages for every completed year of service. The management had not complied with the above provisions of Section 25-F of the I.D. Act while terminating the services of the workman in this dispute. Therefore, the termination of his service is illegal for the aforesaid reason also.

20. The workman has a further case that there is violation of Section 25-G of the I.D. Act as the management has retained his juniors while terminating his services. Of course, he has not stated the details of the juniors claimed to have been retained in service. The management has admitted in its additional statement dated 25-9-98 that names of certain persons who had worked lesser number of days than that of the workman have been included in the live casual labour register prepared as per the direction of the Supreme Court in Indrapal Yadav case. According to management the said register contains the names of 2284 ex-casual labourers who are waiting for re-engagement absorption, out of which only 188 persons had not more than 1034 days. According to workman, he had worked 1034 days during the period from 28-12-77 to 21-2-85. As per Ext. W1 and W2 casual labour service cards, he had worked 1004-1/2 days during the period from 22-12-79 to 21-2-85. Therefore, it is clear that the management had retained juniors or offered re-employment to so many other persons who had worked lesser number of days than the

workman concerned in this dispute. I therefore, find that there is violation of the provisions of Section 25-H and Section 25-G of the I.D. Act.

21. In the light of the aforesaid discussion, I have no hesitation in holding that the termination of services of the workman on 3-9-85 is in violation of the provisions of I.D. Act as well as the Railway Establishment Manual and hence illegal and unjustified.

Point No. V.

22. The next point to be considered is as to the relief to which the workman is entitled. In normal course, if the termination is found to be illegal the workman is entitled to the relief of reinstatement with backwages. However, in the present case, in view of the fact that the workman was only a casual labourer and he has raised this industrial dispute after a long lapse of time, he is not entitled to the normal relief of reinstatement with full back wages.

23. The learned counsel for the management would submit that in view of the inordinate delay in raising the dispute, he is not entitled to any relief. In support of his above submission he would place reliance on an award dated 20-7-98 of the Industrial Tribunal, Chennai in I.D. No. 31 of 1996. The award of the Industrial Tribunal, Chennai is not binding on this Tribunal. Moreover, the facts and circumstance of the above case are entirely different from that of the case at hand. In the above case, the Industrial Tribunal, Chennai was dealing with the case of a worker who had not completed one year continuous service within the meaning of Section 25-B of the I.D. Act. On the other hand, the workman herein had completed more than three years continuous service as defined in Section 25-B at the time of his termination. The various legal aspects involved in the case at hand have not been considered in the above award by Industrial Tribunal, Chennai. The above Tribunal refused to grant relief to the workman placing reliance on the decision of the Supreme Court in Ratan Chandra Samanta & Orgs. V. Union of India and Ors—AIR 1993 SC 2276. The facts of this Supreme Court case are also entirely different from that of the case at hand. In the above Supreme Court case, certain casual employees of the Railway approached the court without any positive material and the Supreme Court refused to entertain the petition not only on the ground of delay but also on the ground that the material particulars were not furnished in support of the representation made on behalf of the petitioners. If the claim was supported by material, their Lordships would have definitely issued appropriate directions. This is clear from the following observation of the Supreme Court :—

"We would have been persuaded to take a sympathetic view but in the absence of any positive material to establish that these petitioners were in fact appointed and working as alleged by them it would not be proper exercise of discretion to direct opposite parties to verify the correctness of the statement made by the petitioners that they were employed between 1964 to 1969 and retrenched between 1975 to 1979".

24. In Ajai Singh's Case—1999 AIR SCW 1051 and in Raj Bahadur Singh's Case—1999 SCC (L&S) 252 also the approach of the Supreme Court was exactly the same.

25. In the present case, the workman has furnished sufficient legal evidencematerial (Ext. W1 &2) in support of his service particulars which the management has not disputed. Since the workman has established his contentions with positive material, I feel that it will be only proper to take a sympathetic view in the matter of relief to be awarded to him. However, in view of the decisions of the Supreme Court in Jai Bhagwan V/S Ambala Central Co-Op. Bank Ltd.—AIR 1984 SC 286, Uol V/S. Shri Chida Singh Rawat—1991 AIR SCW 5870 H.M T. Ltd. V/S. Labour Court—1994 Lab LR 720, SAIL V/S. Presiding Officer—1996 (2) LLJ 760 etc., the delay in raising the industrial dispute shall disentitle the workman to claim backwages. Even otherwise he is not entitled to backwages

as he (WW1) has admitted that he is now employed in a teashop since 1985 and earning wages @ Rs. 35/- per day besides expenses.

26. Since it has been clearly established that the workman herein had worked for more number of days than the majority of persons who have been empanelled in the Live Casual Labour Register or the Supplementary Labour Register, I feel that his name ought to have been enrolled in the above registers. According to management, the workman had not approached the management for enrolling him in the above registers at the appropriate time. Even from the averments of the management, is seen that the Casual Labour Register was finalised only on 17-9-96 as per the order of the Central Administrative Tribunal in O.A. No. 1706/94. The workman had raised this industrial dispute in 1993 and the matter was referred for adjudication in 1997. It appears that the management has not disclosed the process of preparing the above register at the time of conciliation proceedings. In my opinion being a public sector undertaking, the management ought to have acted as a model employer and offered an opportunity to the workman to get him enrolled in the list at the time of conciliation proceedings. At the same time, I also feel that it will not be proper to disturb the above Casual Labour Register at this juncture of time by entering the name of the workman in the said register. In view of the delay on the part of the workman in not taking any legal steps at appropriate time, it will not be proper to give him seniority over and above other persons who are already listed in the register. Having regard to the above aspects, I feel that the ends of justice would be met if a direction is given to the management to enter the name of the workman in the Casual Labour Register for re-engaging him as a casual labourer without disturbing the seniority of other persons whose names were already listed therein. The workman shall be entitled to all the benefits as admissible to other persons who are enrolled in the above register.

27. In the result an award is passed with the above findings and direction and the reference order is answered accordingly.

Dated this the 11th day of May, 1999.

B. RANJIT KUMAR, Industrial Tribunal,

#### APPENDIX

Witnesses examined on the side of Management.  
Nil.

Witnesses examined on the side of Workman,

MW1—Sri Krishnan.

Documents marked on the side of Management.  
Nil.

Documents marked on the side of Workman.

Ext. W1—Casual Labour Service card.

Ext. W2—Casual Labour Service card.

Ext. W3—Letter dated 21-4-94 from management to the Assistant Labour Commissioner (Central), Ernakulam.

Ext. W4—Failure of Conciliation report dated 31-8-1995.

Ext. W5—Wage Slips. (13 Nos.).

नई दिल्ली, 8 जून, 1999

का.प्रा. 1929.—ग्रोवर्डिक विवाद अधिनियम, 1947 (1947 का 14) की घारा 17 के अनुसरण में केन्द्रीय सरकार फैडल बैंक लिमिटेड, अलाइ के प्रबंधताल के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट

ग्रोवर्डिक विवाद में ग्रोवर्डिक अधिकारा-I, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-6-1999 को प्राप्त हुआ था।

[न. पा. 12011/28/98-ग्राइ.शार. (बी-1)]  
गनातन, इस्क अधिकारी

New Delhi, the 8th June, 1999

S.O. 1929.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Industrial Tribunal-I, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Federal Bank Ltd., Alwaye and their workman, which was received by the Central Government on 7-6-1999.

[No. L-12011/28/98-IR(B.I.)]  
SANATAN, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

#### PRESENT:

Sri C. V. Raghavaiah, B.Sc., B.L., Industrial Tribunal-I.  
Dated : 17th day of March, 1999

#### INDUSTRIAL DISPUTE NO. 13 OF 1998

#### BETWEEN

The President, Federal Bank Employees  
Union, C/o President, Federal Bank Limited,  
Prakasham Road, Vijayawada-520002. . . Petitioner.

#### AND

The Chairman, Federal Bank Limited.  
H.O. P.B. No. 103, Alwaye-683101. . . Respondent.

#### APPEARANCES :

Sri D. V. Bhadram, Advocate for the Petitioner, M/s. C. Trivikrama Rao, N. Chandradhar Rao, Srinivas Chituru, Advocates for the Respondent.

#### AWARD

The Government of India, Ministry of Labour, New Delhi through its letter No. L-12011/28/98-IR(B-I) dated 17-7-98 made the reference under Section 10(1)(d) and Sub-Section 2A of I.D. Act to this Tribunal for adjudication of following Industrial Dispute.

"Whether the action of the management of Federal Bank Ltd., Vijayawada in denying the taxi fare and the Conveyance expenses incurred by S/Shri G. L. Narasimham, K. S. Rao and V. Durga Rao when they went on L.F.C. in terms of clause 10(3)(b) and VI(6) of Birartite Settlement dated 19-10-1966 read with 16th July, 1991 is justified. If not to what relief the employees concerned are entitled to?"

This reference is taken on file and numbers as I.D. No. 13/98 on being served with notices, both parties filed their pleadings having engaged counsels.

2. On behalf of the petitioner-union the claim statement was filed by Sri K.S. Rao one of the affected employees, contending as follows : The Workmen by name Sri K.S. Rao, G. L. Narasimham and V. Durga Rao who are the employees of the respondent Bank availed leave fare concession for the year 1992 and 1993. They submitted bills of expenses for reimbursement. But the respondent allowed the expenses incurred in respect of journey by train/flight but rejected the expenses incurred by them in respect of that part of

Journey covered by other mode of conveyance i.e., by Taxi in violation of Clause 10(3)(b) of the 1st Bipartite Settlement dated 19-10-1966 and Clause VI(6) of Bipartite settlement dated 16-7-1991. The respondent disallowed in all a sum of Rs. 440 i.e. sum of Rs. 360 incurred for journey by taxi and Rs. 80 incurred for conveyance by Sri G. L. Narasimham. Similarly in respect of Sri K. S. Rao it has disallowed a sum of Rs. 1050 and 285 in all Rs. 1335 incurred by him under the above heads. In respect of Sri V. Durga Rao it has disallowed Rs. 350 and Rs. 100 i.e. in all Rs. 450 incurred by him under the above heads without assigning any reasons much less valid reasons though they are entitled for reimbursement of the above expenses in terms of above settlement briefly extracted in the claim statement. The petitioner is hence constrained to raise dispute before the Asstt. Labour Commissioner (Central) Vijayawada on 29-6-1994 and both parties have agreed for referring the dispute for arbitration as per the agreement dated 4-4-95 in Form C under Rule 7 of I.D.S. (Central) Rules, 1957 read with Section 10A of I.D. Act.

But the respondent later has gone back on the agreement. Hence the conciliation proceedings ended in failure although Regional Labour Commissioner (Central) Hyderabad advised the respondent-management to consider the claim of the above workmen subject to over all entitlement to which they are entitled irrespective of the transport they availed which is however not acceptable to the respondent on the ground that they are not entitled to travel by Taxi without prior permission. According to the petitioner-union the above 3 workmen are entitled to the disallowed amounts as per the terms of above Bipartite Settlement. It prayed for passing award declaring that taxi fare and conveyance expenses incurred by the above 3 workmen are within the terms of clause 10.3(b) and vi(6) of the above Bipartite settlement dated 19-10-1966 and 16-7-1991 respectively and the action of the respondent/Management in denying said expenses is arbitrary and not justified.

3. The respondent-Management filed a detailed counter resisting the claim of the workmen. It contended that it is justified in disallowing the above expenses as Auto/Taxi etc., are not permitted mode of travel under L.F.C. and only in case of dire necessity travel by road is permitted. It is contended that travel by taxi is not specified in any of the Bipartite settlements and the road mileage is permitted only for that part of journey which of necessity has to be covered by transport other than by train/steamer. The workmen have applied for availing LFC and the same was sanctioned subject to rules. But they have travelled by taxi/auto part of the distance as per their choice. Contrary to their request and they have not appraised to the satisfaction of the respondent for what necessary they were compelled to travel by other modes of transport. It is contended that travel by taxi under LFC is permitted only if prior permission is obtained as per the administrative orders published in Bulletin No. 31/91 dated 31-7-91 and as the above workmen have not obtained prior permission, their claim was disallowed and this practice is being followed to avoid misuse of the facility. Further whenever permission for travel by taxi is sought for all the required details like taxi number, name and address of the owner and driver, name of the persons proposed to travel etc., have to be given in advance. But the above workmen have given only their self declaration besides not seeking prior permission to travel by Taxi/Auto. It contended that in case of local conveyance expenses also the workmen have to use permitted mode of transport and if the employee wants to use taxi/auto prior permission has to be taken as per Bulletin No. 40/91 dated 2-10-91 and the management has the discretion to reject permission. Hence for non complying with the above bulletins, part of their claim for reimbursement is disallowed.

4. It is contended that Sri G. L. Narasimham applied for LFC from 21-9-1992 to 30-9-1992 to visit Shiridi, Ellora, Ajantha, Hyderabad, Srivilliputhur, Manralayam etc., stating that he intends to travel between Vijayawada to Shiridi and he was sanctioned L.F.C. specifically mentioning that the journey by road should be undertaken by bus, that on 1-10-1992 he submitted LFC claim bill which included an amount of Rs. 140 as auto fare from Aurangabad to Ellora

and back Rs. 120 as taxi charge from Nasik to Trivandrum and back and Rs. 100 as taxi fare from Nasik to Sirdi and Rs. 80 as auto charges at various places towards local conveyance, but as evidence of the same he did not produce any vouchers to confirm the travel by above mode of transport.

Similarly Sri K. S. Rao was sanctioned LFC for rest and recuperation for himself, his wife and 3 children to visit Hyderabad, Shirdi, Tirupathi, Bangalore, Mysore, Ooty, Chennai etc. but in his LFC application he did not mention the intended mode of transport. Originally he applied for PL for 9 days from 25-5-92 to 2-6-92 but later changed from 1-6-92 to 10-6-92 which was permitted and he was permitted to avail the facility of conducted tour from Bangalore to Ooty and back to Bangalore. As per the rules the claim has to be submitted within 7 days of completion of LFC but he submitted on 9-7-92. Further contrary to sanctioned permission he hired taxi/share taxi and he hired taxi/auto for local conveyance. Further he has not submitted details like opening and closing meter reading, address of vehicle owner with regard to local conveyance he gave only self declaration. Hence claim in this regard was rightly disallowed.

Sri V. Durga Rao applied for LFC to visit Varanasi, Hyderabad, Madras, Tirupathi, Ongole, Srivilliputhur, Manralayam, Kalahasti, Sirdhi etc., and he requested for permission to travel by taxi from Manmad to Shirdi, from Tirupathi to Tirumalai Hills and places like Kalahasti, Manralayam etc., which is not permitted as he failed to furnish details regarding the taxi. But he claimed Rs. 350 as bus fare from Aurangabad and Ajantha without enclosing bus tickets on the ground that they are lost, but submitted receipt of Rs. 5 being the fee for seeing lighting at Ajantha on the ground that he did not travel by taxi. Hence the same was disallowed due to absence of satisfactory evidence and conveyance of Rs. 100 also disallowed as he did not seek permission to travel by auto as self declaration alone produced.

Thus according to the respondent for just and valid reasons, it disallowed part of claims of above workmen for want of satisfactory evidence and prior sanction to travel by taxi and auto. It however admitted that the request of the workmen to review its decision was also rejected and the matter was referred to Asst. Labour Commissioner. It however contended that as its representative was coerced to agree for arbitration it has withdrawn its consent for arbitration. It prayed for rejecting the reference as it is justified in refusing to reimburse the above item of expenditure incurred by the workmen which are contrary to Bipartite settlements as well as administrative orders i.e., Bulletin No. 31 and 40/91.

5. On the above contentions, the following point arises for consideration :

Whether the action of respondent management in denying taxi fare and conveyance expenses incurred by Sri G. L. Narasimham K. S. Rao and V. Durga Rao is justified. If not to what relief they are entitled ?

6. Point.—In support of their claim, one of the affected workmen Sri K. S. Rao who signed in the claim statement examined himself as WW1 He gave evidence on behalf of the other two workmen. He filed Exs. W1 to W13. On behalf of the respondent-management Sri V. K. A. Rahim Chief Minister Abids Branch was examined as MW1 and he filed Exs. M1 to 12.

7. Following material facts are not in dispute. Sri G. L. Narasimham, Sri K. S. Rao (WW1) and Sri Durga Rao are working in Vijayawada Branch of the respondent Bank. All of them availed leave fare concession for the year 1992 and 1993 to whichever year they are entitled WW1 Sri K. S. Rao initially submitted Ex. M1 application dt. 24-4-1992 for permission to avail said facility from 25-5-92 to 2-6-92 while Ex. M3 is the letter dt. 29-5-95 sent by him for permission to avail LFC from 1-6-92 to 10-6-92 due to nonavailability reservation enclosing Ex. M4 application. He was sanctioned the said facility under Ex. M5 letter dt. 8-6-92. Ex. M6 is the final LFC/CTC claim submitted by him on 9-7-92. His

claim was disallowed in respect of taxi fare by which mode he completed part of journey.

8. Ex. M7 is the application submitted by Sri V. Durga Rao for sanction of LFC facility from 2-6-93 to 11-6-93 and the same was sanctioned under Ex. M8 letter dt. 28-5-93. Ex. M9 is the final LFC/CTC claim bill submitted by him out of which part of the claim is disallowed. Ex. M10 is the application given by Sri V. L. Narasimham for permission to avail LFC/CTC from 21-9-92 to 30-9-92 and Ex. M11 is the final claim bill submitted by him and part of it is disallowed. There is no dispute with regard to the amounts disallowed to the above workman. Ex. W1 is the representation dt. 30-11-92 submitted by WW1 Sri K. S. Rao for reviewing the matter. Ex. W2 is the reply dt. 11-12-92 given by the management refusing to reconsider the matter. Ex. W3 is the representation dt. 30-11-93 sent by Sri V. Durga Rao while Ex. W4 is the representation dt. 24-5-94 given by WW1 to the Chief Manager while Ex. W5 is the reply dated 21-6-94 given to him.

9. Ex. W6 and W7 are the extract of Bipartite Settlements dated 19-10-66 and 16-7-91 under which claim is made for reimbursement while Ex. M2 and 12 are the Bulletins Nos. 31 and 40/91 issued by the respondent-Management regarding above facility.

10. Ex. W8 is the representation dt. 29-6-94 given by the petitioner union to the Asst. Labour Commissioner (Central) Vijayawada. Ex. W10 is the minutes of conciliation before ALC Vijayawada. Ex. W11 is the representation dt. 19-6-95 made by the above three workmen to the Regional Labour Commissioner, Hyderabad. Ex. W12 is the letter dated 3-7-95 sent by ALC Vijayawada to Govt. of India reporting failure while Ex. W13 is the minutes of conciliation proceedings dated 6-12-95.

11. It is submitted by the learned counsel for the petitioner/ workmen that the expenses incurred by WW1 and two other workmen in respect of part of journey covered by other than train/flight i.e. by taxi and expenses incurred by them towards conveyance was disallowed by the respondent though they are entitled for the same in terms of Clause 10.3(b) of Ex. W6 Bipartite Settlement dt. 19-10-1966 and W7 settlement dt 16-7-91, basing on administrative orders issued in the shape of Bulletins marked as Ex. M2 and M12 which have no statutory force and cannot supersede the Bipartite settlements.

12. It is submitted that when WW1 and two other workers submitted their claims for the journeys performed by train/ bus as well as by taxi/share taxi in respect of part of journey and also made claim for conveyance charges of auto under Exs. M6, M9 and M11 having been permitted to avail LFC for the period applied by them under Exs. M5 and M8 pursuant to Exs. M1 to 3 applications given by WW1, Exs. M7 and 10 given by the other two workers, the management accepted major portion of the claim but disallowed claim regarding taxi and auto. Without returning the bills to enable the workmen to explain the reason for undertaking part of journey by taxi instead of bus between two places connected by bus and it is only when the workmen applied for review of the decision under Exs. W1 and W4 by WW1, reply was given under Exs. W2 and W5, but for Ex. W3 representation given by Sri Durga Rao no reply was given assigning the reason for disallowing the part of claim, which is in violation of principles of natural justice. The learned counsel for the respondent however repelled the contention by submitting that when the part of claim is not admissible, the bill need not be returned and no reason need be given for rejecting the part of the claim as it is the duty of the employee to present bill for admissible amounts. Hence there is no violation of principles of natural justice.

13. On a careful consideration of the submissions of the learned counsel and material on record i.e. Exs. M1, M3 to M11 which includes the final bills presented by the workmen, for reimbursement which is admittedly provided for both as per Exs. W5 and W6 Bipartite Settlement and Exs. M2 and M12 bulletins issued by the Bank laying guideline for making claim and passing the same. I find force in the contention of the petitioner. I am of the view that instead of rejecting the claim in respect of part of journey

straight away the authority should have returned the bills with the remark to substantiate the claim. It is only after WW1 gave Exs. W1 and W4 representation for review he was given Exs. W2 and W5 reply giving the reasons for disallowing part of the claim. Similarly Sri Durga Rao gave Ex. W3 representation for review and Sri A. I. Narasimham also appears to have sought for review but they are not given replies similar to Exs. W2 and W5 given to Sri K. S. Rao who figured as WW1. I, therefore, feel the principles of natural justice is violated and the same cannot be said to have been corrected and cured by giving Exs. W2 and W5 under which reasons are assigned for disallowing the claim but not opportunity to explain under what circumstance they made claim under the above heads hence I find merit in this contention of the learned counsel for the petitioner.

14. It is submitted that claim in respect of expenditure incurred for part of journey carried on by taxi/share taxi the claim was rejected on the ground that they are not permissible mode of transport and further no prior permission was obtained as required under Ex. M2 bulletin and that self declaration of the workmen in the absence of supporting evidence like taxi receipt, name of the driver owner of the taxi, meter reading of the taxi at the time of starting and reaching the destination is not sufficient though 10.3(b) of Ex. W6 bipartite settlement provides for payment of road mileage if out of journey has to be covered by means of transport other than by train or steamer and does not bar coverage by taxi. It is submitted that prior permission to travel by taxi can be sought for if, it was contemplated in advance but not in case of necessity under compelling circumstance i.e. missing of train or bus connecting two places. It is submitted that out of necessity only taxi or share taxi was engaged by the above workmen during the course of journey. Hence prior permission could not be sought for as required by Ex. M2 guide line. It is submitted that under Exs. W1 and W4 representation and in his evidence WW1 spoke to the compelling reasons for undertaking journey by taxi/share taxi and why vouchers could not be taken or other particulars could not be furnished. It is submitted that as the employer has no doubt the journey performed by taxi it should have allowed the claim by restricting the same to bus fare and to the over all entitlement and the workmen in fact claimed minimum amount out of the over all entitlement and hence the management erred in rejecting the claim on the basis of Ex. M2 bulletin which cannot take the place of bipartite settlement. It is submitted that the transport service mentioned in the agreement is out moded as nobody can be expected to travel by bullock cart.

15. The learned counsel for the respondent however contended that if two places are covered by train or bus, but if the employee wants to travel by taxi or share taxi as claimed by the workmen in this case they have to apply for prior permission and give details mentioned at page 293 under head travel by taxi as provided under Ex. M2. Hence the claim is rightly rejected. It is submitted that though Sri Durga Rao sought permission to travel by taxi part of the distance he claimed to have travelled by bus from Aurangabad and Ajantha bus tickets not enclosed while claiming Rs. 350 but all of them filed self declaration instead of enclosing satisfactory supporting evidence to avoid mischief. Hence the claim in respect of part of journey said to have been carried on by taxi was rejected for non-compliance of above bulletin.

16. On a consideration of the evidence on record and relevant provision of Clause 10.3(b) of Ex. W6 bipartite settlement and Ex. M2 bulletin issued as administrative orders for the information of employees and official entrusted with the duty of scrutiny and approving the claim for reimbursement and evidence of WW1 and MW1, I find sufficient merit in the contention of the learned counsel for workmen admittedly in respect of Sri G. I. Narasimham a sum of Rs. 360 was disallowed in respect of part of journey by taxi i.e. Aurangabad to Ellora and back, Nasik-Triambaka and back and Nasik-Shirdi, in respect of WW1 Sri K. S. Rao a sum of Rs. 1050 and in respect of Sri Durga Rao a sum of Rs. 350 is disallowed. Clause 10.3(b)3 of Ex. W6 bipartite settlement provide for reimbursement of road mileage for that part of journey which of necessity has to be covered by means of transport other than train or steamer which are permitted mode of transport. It is not mentioned that such

journey cannot be made by taxi/share taxi even in case of necessity. It on the other hand provides if out of necessity journey is performed by other mode of conveyance besides permitted mode of transport they are entitled for mileage only and for cheaper rate. Ex. M2 in fact provides for using taxi/share taxi in case of necessity, but provides as to how claim is to be made in that regard. Ex. W6 does not contemplate for prior permission even in case of necessity to travel by other modes i.e. taxi/share taxi while Ex. M2 contemplates for prior permission which appears to be redundant and impracticable, I am of the view that if the employee contemplates to travel by taxi in advance between two places covered by train/light/steamer then he is expected to apply for prior permission and giving the details mentioned in Ex. M2 Bulletin. But when for reasons beyond his control during the course of journey and under compelling circumstance like missing of the bus or train by the time he reached particular place with family he cannot be expected to wait till next day for the above conveyance but to engage the other available mode of conveyance like taxi or share taxi. In such circumstance the question of obtaining prior permission is impossible as he is compelled out of necessity to travel by taxi.

17. WW1 and MW1 spoke in support of their respective contentions, of counsel supporting evidence has to be produced to substantiate the claim. But the workmen seems to have filed self declaration and bus tickets also not produced by Sri Durga Rao who was said to have travelled by bus though he sought for permission to travel by taxi. There can be no doubt that supporting evidence is insisted to avoid mischief. But when the employer is not disputing the journey between two places by taxi or share taxi, as there is nothing in the evidence of MW1 to show that they have bona fide doubt regarding above journey. I feel that employee is entitled to bus fare between these two places and minimum and cheaper fare as provided under Clause 10.3(b) of Bipartite settlement. The claim of the workmen was not rejecting, doubting bona fides of journey from particular place mentioned in the claim bill but on the ground of not taking prior permission to travel by taxi and not providing supporting material.

18. I, therefore, feel that the authority having not doubted the claim of the workmen that they have visited the places mentioned by them in the application for availing LFC and final claim bill is not justified in rejecting the total claim in respect of part of journey performed on taxi when the permitted mode of transport is not available for one reason or the other and when stranded on the way any prudent man travelling with family will think of reaching the destination by whatever transport available. I, therefore hold that WW1 and other workmen are entitled though not to entire amount claimed under this head for want of supporting evidence in the shape of taxi receipt, number of the taxi name of the owner or driver and other details, they are entitled to minimum bus or train fare if those places are covered either by train or bus though they travelled by taxi as I find no reason to doubt the testimony of WW1 that he travelled part of journey by taxi out of necessity though other two workmen did not figure as witness, as there is nothing on record i.e. in the reply given to the representation given by WW1 or in the evidence of MW1 doubting the journey itself. In fact in the counter the management admitted that the workmen visited the places mentioned by them but said to have been covered by taxi or share taxi. Exs. M2 and M12 as well as Ex. W6 settlement provides for the same. I, therefore, feel that self declaration could have been accepted in the absence of supporting evidence and minimum fare by bus or train whichever is lower should have been allowed subject to over all entitlement.

19. It is urged that the management is not justified in disallowing conveyance allowance though provided for by clause v(b) of Ex. W7 settlement. It is submitted that employee while travelling with family is expected to travel by auto, from his house to railway station or bus stand and between two places during the course of journey vice versa. But the respondent disallowed the same though minimum claimed which is within the permissible limit on the ground no supporting material other than self declaration produced. It is submitted that it is not possible to obtain voucher for small fares paid due to hurry on the part of

both parties or for some other reason and the claim cannot be doubted on the ground of lack of such material. The learned council for the respondent on the other hand contended as per the above provision i.e., as per Exs. M2 and M12 Bulletin in the absence of supporting vouchers claim cannot be allowed and they are insisted to avoid misuse and for verification by vigilance section in case of doubt.

20. Both WW1 and MW1 spoke to the above facts. Admittedly Ex. W7 agreement provides for reimbursement for conveyance expenses within the prescribed rate from residence to nearest railway station Bus Stand/Air Port/Dock and vice versa and also similar expenses at the place of destination shall be reimbursed under LFC facility within over all entitlement of the employee. Admittedly under this head in respect of Sri G. L. Narasimham a sum of Rs. 80, in respect of WW1 Sri K. S. Rao a sum of Rs. 285 and in respect of Sri Durga Rao a sum of Rs. 100 was disallowed on the ground of absence of supporting evidence except self declaration of the concerned employees. I am of the view that any person travelling with family and luggage, is expected to travel by auto from his house to railway station/bus stand, other places which is the usual mode of conveyance in these days instead of by bullock cart and camel which are our moded, merely because they could not secure receipt from the auto driver or lost said receipt, their claim under conveyance charges cannot be disallowed. The authority could have allowed whatever amount they feel reasonable under this head as the concerned employees said to have claimed minimum amounts under this head. I, therefore, feel disallowing entire amount under this head is not proper as it is contrary to Ex. W7 settlement.

21. I am definitely of the view that Ex. M2 and M12 bulletins cannot override the bipartite settlements unless they have terminated into settlement between both the parties. As stated above, they are meant to provide information to the employees who intended to avail LFC as to how application for LFC has to be made how the claim is to be made for reimbursement after completion of journey and to the scrutiny officer as to how they have to allow the claim and what particulars they have to verify. There can be no doubt that these guidelines are intended to avoid mischief of the facility. If the authorities doubt the bona fides of claim they can reject it on that ground but not on the ground that required prior permission was not obtained for part of journey by taxi or taxi receipt etc., details are not furnished even though employees adopted the said mode of transport out of necessity though not permitted mode of transport. I feel that Ex. M2 and M12 have to be changed suitably to meet the present day circumstance and procedure for making claim for reimbursement has to be streamlined to avoid mischief as there can be no doubt that the said facility is prone for mischief not only in bank but also in other agency as several instances of abuse of such facility in various Government departments are coming to light in recent years.

22. I therefore conclude in view of the above discussion that the action of the management in rejecting the claim of the workmen in respect of expenses incurred by them in respect of part of journey by taxi/share taxi as the case may be and conveyance allowance which are provided under Ex. W6 and 7 settlement read with Ex. M2 and 13 is not justified and the respondent is directed to allow minimum of fare either by bus/taxi in

respect of part of journey covered by them by taxi as the claim bills such details and also too allow reasonable amount of conveyance provided under Ex. W7. I feel that Ex. W6 and W7, Ex. M2 and 12 have to be read in harmony but not in violation as they are contemporary documents intended to serve better the above facility provided to the workmen. I feel that Ex. M2 and M12 cannot be read or made use of to defeat Ex. W6 and 7 bipartite settlements, entered in to by Management and workers after protracted negotiations to maintain good industrial relationship and for smooth functioning of the organisation of which they are the two wheels. The point is answered accordingly.

23. In the result the reference is answered as follows: Award is passed holding that the management was not justified in rejecting the claim of the WW1 and other two workmen in respect of expenses incurred by them to cover part of journey by taxi as they are entitled to minimum fare if the said places are covered by train or bus as the management is not doubting the journey itself and also to reasonable amount towards conveyance charges. Before parting with the reference I however hesitate to add that this answer may not be taken as precedent by the employees to misuse the above facility by not applying for prior permission in case of journey by taxi and not to produce supporting evidence of satisfactory nature to substantiate their claim.

Written and passed by me this 17th day of March, 1999.

C. V. RAGHAVAIAH, Industrial Tribunal-I

#### Appendix of Evidence

Witness Examined for  
the Petitioner|  
Workman :

WW1 : K. S. Rao MW1 : V. K. A. Raheem

Documents marked for the petitioner|Workmen :

Ex. W1 Representation dt. 30-11-92 of Sri G. L. Narasimham for payment of LFC Bill for Rs. 4093.

Ex. W2 Reply dt. 11-12-92 by the Management to Ex. W1.

Ex. W3 Representation dt. 30-11-93 given by Sri V. Durga Rao for payment of LFC Bill for Rs. 6394.

Ex. W4 Representation given by WW1 on 24-5-94 to pay LFC Bill.

Ex. W5 Reply given by the Bank to Ex. W4 on 21-6-94.

- Ex. W6 Extract of settlement dt. 19-10-1966.
- Ex. W7 Extract of settlement dt. 16-7-91 of clause 6(vi) of the settlement.
- Ex. W8 Representation dt. 29-6-94 given by the union to ALC(C) Vijayawada.
- Ex. W9 Representation dt. 3-10-94 made to the ALC(C) Vijayawada by the union.
- Ex. W10 Minutes of conciliation proceedings held on 4-4-95 before ALC, Vijayawada.
- Ex. W11 Representation dt. 19-6-95 made to the RLC, Hyderabad by the workmen.
- Ex. W12 Letter dt 3-7-95 of the Govt. of India, Ministry of Labour to ALC(C) Vijayawada.
- Ex. W13 Minutes of conciliation proceedings held on 6-12-95.

Documents marked for the Respondent|Management :

- Ex. M1 Application dt. 24-4-92 submitted by WW1 for claiming LFC|LTC.
- Ex. M2 Extract of Federal Bulletin No. 31/91.
- Ex. M3 Letter of WW1 dt. 29-5-95 enclosing application for LFC|LTC.
- Ex. M4 Application enclosed to Ex. M3.
- Ex. M5 Letter dt. 8-6-92 written by the Chief Manager to WW1 regarding LFC sanction vide S.O. dt. 19-5-92.
- Ex. M6 Final LFC|LTC claim Bill dt. 9-7-92 submitted by WW1.
- Ex. M7 Application submitted by Sri V. Durga Rao for claim of LFC|LTC.
- Ex. M8 Letter dt. 28-5-93 issued to Sri V. Durga Rao regarding LFC claim from 2-6-93 to 11-6-93.
- Ex. M9 Final LFC|LTC claim bill submitted by Sri V. Durga Rao.
- Ex. M10 Application given by Sri G. L. Narasimham for LFC|LTC.
- Ex. M11 Final LFC|LTC claim bill submitted by Sri G. L. Narasimham with xerox copies of enclosures.
- Ex. M12 Xerox copy of Feder Bulletin part A Vol. X No. 40/91. dt 2-9-91.

तर्फ़ दिल्ली, 10 जून, 1999

का.आ. 1930—आंदोलिक विवाद अधिनियम, 1947  
1947 का 14) की धारा 17 के अनुसरण में बेंड्रीय स्कार ग्रिंडलैंस बैंक लिमिटेड, मद्रास के प्रवंधनतंत्र के संबंध वोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट आंदोलिक विवाद में आंदोलिक अधिकारण तमिलनाडू, त्तर्वाट के प्रवाट को प्रकाशित करती है, जो केन्द्रीय सरकार 09-06-1999 को प्राप्त हुआ था।

फ. एन-12011/39/82-झी-II (ए) झी-III (ए)/बा. I]  
सनातन, डैस्क अधिकारी

New Delhi, the 10th June, 1999

S.O. 1930.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Chennai as given in the Annexure, in the industrial dispute between the employers in relation to the management of Grindlays Bank Ltd., Madras and their workmen, which was received by the Central government on the 09-06-1999.

[F. No. L-12011/39/82-D. II(A)D. III(A)[B-I]  
SANATAN, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,  
TAMIL NADU

CHENNAI

Wednesday, the 9th day of December, 1998

Present :—

THIRU S. ASHOK KUMAR, M.Sc., B.L.,  
INDUSTRIAL TRIBUNAL

INDUSTRIAL DISPUTE NO. 101 of 1990  
In the matter of the dispute for adjudication under section 10(1)(d) of the I.D. Act, 1947 between the workmen and the management of Grindlays Bank Ltd., Madras-1.

#### BETWEEN

The workmen represented by  
The General Secretary,  
Grindlays Bank Employees Union,  
32, N.S.C. Bose Road, Madras-600001.

AND

The General Manager,  
Grindlays Bank Ltd.,  
Rajaji Salai,  
Madras-600001.

REFERENCE :—Order No. L-12011/39/82-D.  
II(A)D. III(A)[B-I, Ministry of Labour,

dated 20-12-90, Govt. of India, New Delhi.

This dispute coming on for final hearing on Monday, the 26th day of October, 1998, upon perusing the reference, claim counter statements and all other material papers on record, upon hearing the arguments of Tvl. K. Chandru and D. Hariparanthaman, Advocates appearing for the petitioner-union and of Tvl. T. S. Gopalan & Co. Advocates appearing for the respondent management and this dispute having stood over till this day for consideration, this Tribunal made the following

#### AWARD

This reference has been made for adjudication of the following issue :

"Whether the management of the Grindlays Bank is justified in effecting a wage cut for a section of the employees whose names are indicated in the annexure for the period from 28th September 1973 to 10th November 1973 ? If not, to what relief the employees are entitled to ?"

2. The main averments found in the claim statement filed by the petitioner-union are as follows :

There were about 352 employees both clerical as well as subordinate staff working in the four offices of the respondent bank in Madras City during the period in question i.e. 28-9-73 to 10-11-73. The employees of the Madras office were conducting an agitation which included putting posters, wearing badges stoppage of overtime and also demonstration in front of the branches before and after office hours. The Petitioner-union did not indulge in stoppage of work, stay-in-strike, or in any form of go slow. The agitation itself was started because the respondent bank in July 1973 stopped reimbursement of medical bills for some of the employees. They also amended Savings Bank and Fixed Deposit Rules to the detriment of the customers, whereby thousands of small customers were driven away, with the sole objective to abolish jobs and earn super profits. They also demanded reimbursement of medical bills to be speeded up and also for withdrawal of newly introduced rules in connection with C.B. and F. D. rules. Inspite of the protest, the respondent bank persisted in its action which forced the union to register its protest in forms as already stated which will not affect the normal banking transactions. On 15-10-73, at the middle of the agitational process, the respondents directed the workmen to withdraw the agitation which they labelled as "strike". The employees were not on strike and they have not indulged in work stoppage. For reasons bestknown to the respondent, the respon-

dent imposed a discriminatory wage cut on the employees numbering 208. During this period the respondent did not issue any memo or show cause notice for any alleged non-performance of work. It was the respondent management which unilaterally suspended clearing operations causing drastic reduction in the volume of work resulting in reduced allotment of work to many employees and some of the employees were kept idle in departments like clearing. This was objected to by the petitioner union. A wage cut was imposed on selected persons. While all sub-staff barring daffaries were paid wages, only 30 per cent of the clerical staff were paid wages. Even when workmen who did processing of instrument and who checked and passed those instruments were denied wages, the employees in cash section they could only perform their duties on the basis of processed and passed instruments, were paid wages. Without one section of workmen performing duties of passing the instruments, no cash transaction can take place. The workmen though were present on all days except those who were on leave, had signed attendance for the days they attended office and performed the duties/work allotted to them by the management. For the period 28-9-73 to 30-9-73 for three days, all the workmen were paid full salary and this would not have been the case if they were on strike or indulged in any other form of work-stoppage or refused to perform the allotted duties. The workmen who applied for casual leave, privilege leave and sick leave sanctioned leave during the period and if they were on strike, the question of sanctioning leave and/or paying wage for these persons does not arise. The respondent management did not adopt any particular pattern and also did not choose to explain its untenable stand in imposing wage cut to one section of the employees. When the union raised the issue before the Regional Labour Commissioner (Central), Madras, the respondent bank made an allegation that wages were not paid to a section of employees because they indulged in go slow. The respondent bank's case before the Conciliation Officer was that the discriminatory wage cut was resorted to because employees resorted to go slow, and this stand was without any basis or justification and only a cover to justify the payment of salary to section of the employees. No worker was given any notice about his non-performance of the allotted work or that he indulged in go-slow. Even after the so-called strike no worker was given any memo or show cause notice with reference to his alleged participation in strike spanning over a period of 44 days. The respondent cannot impose arbitrary wage cuts especially without giving notice to the affected workmen and their action is opposed to the principle of natural justice. The petitioner union tried to raise the issue bilaterally with the respondent management to sort out the same. Since the respondent was not

willing for any amicable settlement, the petitioner union was forced to approach the authorities constituted under the I. D. Act. The solidarity amongst the workmen was so high, that the workmen who were paid salaries during the period in disputes, gave voluntarily their salaries to the Union and the wages were divided by the workmen in order to send a correct signal to the respondent management and to put them on notice about their discriminatory practice. The petitioner union raised a dispute regarding the discriminatory wage cut before the Regional Labour Commissioner (Central), Madras vide its letter 21-1-77. The respondent bank submitted its reply dated 21-3-77 before the Assistant Labour Commissioner (Central) to whom the matter was directed to be taken up by the Regional Labour Commissioner (Central). A joint discussion before the Conciliation Officer took place on 29-3-1977. By a letter dated 7-9-1977, the petitioner union submitted a list of employees affected by the wage cut imposed by the respondent. Thereafter, no further progress took place before the Conciliation Officer inspite of the petitioner union's letter to him dated 1-9-77. The petitioner-union wrote to their All India Federation to take up the matter with the respondent management at Bombay. The All India Federation to which the petitioner union was affiliated took up the issue and placed it in its Charter of Demands dated 2-11-79 and they also took up the issue before the Regional Labour Commissioner (C) at Bombay. The respondent's representatives participated in the proceedings and in the discussion held on 18-12-80 they stated that the wages for the workmen covered by the dispute cannot be paid since they did not fulfil the terms of contract. Then the petitioner-union revived the issue pending on the file of the Regional Labour Commissioner (Central), Madras vide its letter to him dt. 24-12-80. The Regional Labour Commissioner sent a letter dt. 11-2-1981 to the petitioner asking the union to submit copies of all the letters exchanged between the parties. The petitioner-union furnished all the details vide its covering letter dated 28-2-1981. The Conciliation Officer who could not bring about mediation sent his failure report dated 11-6-82 to the Government of India. The Government on receipt of the same, unfortunately, declined to refer the dispute vide their order dated 6-8-1982. The said order was challenged by the union before the Hon'ble High Court at Madras through a Writ Petition being W.P. No. 8585 of 1982. The said Writ Petition came to be allowed by judgement dated 22-10-90 and the Government was directed to reconsider their decision. After the judgement and on an examination of the issue, the Government of India, vide their order dated 20-12-90, referred the issue for adjudication. All the 208 employees concerned in this dispute reported to duty on all the days during the period 28-9-1973 to 10-11-73 except on days they were on leave,

and performed all the duties work allotted to them by the respondent Bank and yet they were denied wages. The petitioner prays to pass an award holding that the action of the respondent bank in imposing unilateral wage cut on the workmen for the period from 1-10-73 to 10-11-73 as arbitrary and direct the respondent to pay full wages to the workmen for the period specified together with 18 per cent interest per annum on the amounts illegally withheld.

3. The main averments found in the counter statement filed by the respondent are as follows :

The dispute raised by the petitioner herein is highly frivolous, vexatious, and devoid of any merits and therefore has to be dismissed in limine. The respondent has not delayed or stopped reimbursement of medical bills for some of the employees as alleged. It is false to allege that the respondent bank amended Savings Bank and Fixed Deposit Rules to the detriment of the customers whereby thousands of small customers were driven away. The further allegation that the Savings Bank and Fixed Deposit rules were amended with the sole object to abolish cheques and earn profits are devoid of any merits. The petitioner-union unreasonably demanded posting of additional staff in the Mount Road branch of the respondent bank to meet alleged increase in demand of work. The Management did not accede to the said unreasonable demand. In a meeting held on 28-8-73 it has been decided that the management was the sole judge to decide as to whether additional staff are needed and the union will have no say in the appointment or posting of additional staff. This resulted in agitation of the members of the union on 28-9-73 at 12.30 p.m. The allegation of the petitioner that they started agitation because the management stopped reimbursement of medical bills for some of the employees and also amended Savings Bank and Fixed Deposit rules is wholly false in view of the facts stated above. From 28-9-73 onwards the employees mentioned in the list annexure to the petition did not do any work and indulged in "go slow". Since the volume of work turned out by them drastically decreased, the management had no option but to withdraw from clearing. The employees also attempted to prevent the Officers from meeting the customer's requirements and clearing of arrears, which resulted in considerable inconvenience to the customers and the public. Due to the stay in strike by the employees, the normal work of the bank got fully paralysed. The posting of Current account and Saving Bank account ledgers were not done by the employees and officers of the bank had to do the work after 5.00 p.m. This was the same case for bills department also. The staff responsible for cash had not written the cash book and did not even post the Subsidiary General Ledger. Because the staff did not complete the work during the normal

working hours as they indulged in go slow, the telegraphic transfers in the draft department was being done by the Officers after 5.00 p.m. every day. The issue of demand draft and pay warrants have also not been done by the concerned staff of the bank. The returns to the Exchange Control Department of the Reserve Bank of India for the period from 20-9-73 to 10-10-73 had not been completed by the concerned staff till 18-10-73 when the management issued a notice. The cheques deposited for collection were not cleared in time which lead to the accumulation of cheques resulting in the bank with drawing from clearing. On the principle of "No work No pay" the employees who did not do work are not entitled to any wages. The agitation by the members of the petitioner-union paralysed normal banking business and therefore, the bank had no other option except to deduct the wages as the employees did not earn wages during the period of agitation. On 15-10-73, The management issued notice to employees stating clearly that the wages will be deducted for all the days in strike retrospectively from the date of their agitation. Even though the employees listed in the annexure to the petition have signed the pay rolls they did not do any work and thereby indulged in Stay in strike and go slow which forced the management to suspend the clearing operations. Employees who actually worked during the period of agitation were given wages and those who indulged in Stay in strike or go slow strike and refused to do the normal work expected of them were not paid wages. Hence the alleged discrimination by the respondent management does not arise. It is not necessary to send notices to each and every employee who indulged in go slow and strike. By a notice dated 15-10-73, the management cautioned the employees that if they continued to strike, their wages will be deducted retrospectively from the date of agitation. The respondent observed the principles of natural justice by giving sufficient opportunity to the workman to represent their case. There has been exchange of correspondence between the petitioner-union and respondent management which would show that the respondent gave sufficient opportunity to the petitioner-union to explain and considered the explanation and then only decided to deduct the wages for the period of agitation. The allegation that the workmen who were paid salaries gave their salaries voluntarily to the union is baseless and in any event irrelevant. While the agitation was in force in 1973, the union did not take any steps till 1977 to raise a dispute if any before the Labour Commissioner. This would go to show that there is no dispute between the management and the union and even if there is any dispute, the management is justified in deducting the wages as the act is effected on the principle of 'No Work No Pay'. The other allegations are false. The respondent prays to dismiss the claim off the petitioner-union.

4. On behalf of the petitioner union Thiru Ayyasamy, General Secretary of the petition union was examined as WW1 and Ex. W1 to W-16 have been marked. On behalf of the respondent management Th. Anatha Narayanan, Thiru Vaidyanathan, Thiru T. D. Rajan, Thiru Cherian Chacko, & Thiru K. Ronald, have been examined as MW1 to MW5 and Ex. M. 1 to M.40 have been marked.

5. The point for consideration is : Whether the management of the Grindlays Bank is justified in effecting a wage cut of the employees for the period from 28th September, 1973 to 10th November, 1973 ? If not, to what relief the employees are entitled to ?"

6. The Point : The issue involved in this dispute relates to the year 1973 i.e. quarter of a century age. The respondent bank is a foreign bank having four branches in the City where 352 workmen in the cadre of sub-staff and award staff are employed. The issue is wage cut for 208 workmen for the period from 28-9-73 to 10-11-73 as per the reference. Admittedly, wages from 28-9-73 to 30-9-73 (3 days) have been paid to all the employees in view of the fact that the salary was paid on 25-9-73 itself and also because the respondent management did not anticipate the strike by the staff. There is no dispute by the petitioners also regarding the fact that the wages upto 30-9-73 have been paid. Therefore, the dispute is with regard to reduction of wages from 1-10-73 to 10-11-73 for the 208 employees of the respondent management who belong to the petitioner union. On 28-8-73 there was a meeting between National Grindlays Bank Employees Union, Madras and the respondent management's Madras branch at 378, N.S.C. Bose Road, Madras regarding 11 issues of which delay in passing of medical bills either under industrywise settlement or under arrangement with the Federation regarding six employees of their families and also regarding the appointment of additional clerical staff in the respondent's Mount Road branch etc. The minutes of meeting are Ex. M. 1. On 25-9-73 the petitioner union passed Ex. M. 2 resolution as follows :

"This emergent General Body Meeting of National and Grindlays Bank Employees' Union, Madras, held on the 25th September 1973 notes with grave concern the adamant attitude of the Bank in not settling the pending issues, as mentioned in the Joint minutes of the meeting held on 28th August 1973. Having exhausted all avenues for a peaceful settlement, this General Body, authorises the Office-bearers to take appropriate steps, forthwith, for the settlement of the issues. The Office-bearers of the Union shall form themselves into an Action Committee for the Specific purpose."

Though the above resolution has authorised the Office bearers to take appropriate steps for the settlement of the issues and to form an action committee for the specific purpose to discuss, what was the appropriate step to be taken has not been conveyed either in the resolution or in any subsequent document, either to the management or to the members of the petitioner association. Ex. M. 2 resolution does not indicate the type of action to be taken by the Committee. It seems from the various documents to be described later members of the petitioner union decided to hold mass meetings, shouting of slogans, putting up of posters and going slow in the work which resulted in withdrawal of clearing works by respondent management with effect from 8-10-73. On 28-9-73 the Branch Manager of Armenian Street branch has reported in Ex. M. 21, that there was a mass meeting in the Banking hall on 28-9-73 from 12.30 to 12.53 p.m. and the union had instructed its workers to work to rule including the banning of overtime. On 1-10-73, the Manager of Mount Road branch has sent Ex. M. 35 letter to the Regional Manager informing that award staff were on go slow and they have made only cash payment and the rest of the work was completed by the officers staff and the cash book was closed on the same evening and they left office at 9.30 p.m. On 1-10-73 the Manager of Armenian Street branch has also reported in Ex. M. 22 about the mass meeting in the banking hall from 10.10 a.m. to 10.20 a.m. and about the continuation of the work to rule and also a mass demonstration outside the Manager's office from 3.20 to 3.45 p.m. On 4-10-73 again the same Manager has reported about a mass meeting in the vestibule of the bank from 10.10 a.m. in Ex. M. 23. On 8-10-73, Officer incharge of Mount Road branch has sent a memo Ex. M. 36 regarding the demonstration of award staff wherein he has mentioned about exhibition of a notice at the cheque receiving counter to the effect that they will not be receiving clearing cheques and that the staff only attended to cash payment and the remaining work was completed by Officers, who left the office at 8.30 p.m. On 8-10-73, the Branch Manager of Armenian Street branch has sent Ex. M. 24 letter wherein he has mentioned that the award staff held a mass deputation outside the Manager's office on 8-10-73 at 12.30 to 12.45 p.m. etc. The Manager of Madras Lyods Road branch has also informed the Regional Manager by Ex. M. 18 letter dated 8-10-73 about the assembling of the staff outside the Manager's room and a mass deputation at 12.30 p.m. On 9-10-73 the same Manager has reported to the Regional Manager through Ex. M. 19 that the staff continued to agitate in the form of work to rule and because of the withdrawal from clearing the load of work has been reduced and that other than cash payments and receipts and normal routine work has almost come to a stand still and that all the Officers in the branch undertake the work after

5.00 p.m. On 10-10-73, the Branch Manager of Armenian Street branch has sent a letter Ex. M. 25 informing about the mass demonstration in the banking hall from 10.00 to 10.05 a.m. On 11-10-73 the same Manager has reported that the award staff of that branch are continuing agitation from 28-9-73 and held a mass deputation in banking hall from 10.00 a.m. to 10.20 a.m. On 12-10-1973 also the same Branch Manager has reported about mass demostration from 10.00 a.m. to 10.20 a.m. as per Ex. M. 27. Again on 13-10-73 as per Ex. M. 28, same Manager has reported about the mass meeting outside main entrance of the bank from 10.00 to 10.05 a.m. On 15-10-73, the said Manager has put up Ex. M. 3 office notice wherein it is mentioned as follows :

"As the volume of work carried out by the staff has drastically decreased since the agitation commenced, and due to the lack of cooperation, the Management had no option but to withdraw from the clearing. It is also observed in certain instances, apart from doing little or no work themselves, the staff also attempted to prevent the officers from attending to customers' requirements or clearing up arrears. In one instance the cashier has been prevented from carrying out the duties allotted to him. All these acts have resulted in considerable inconvenience to the customers and the public.

In addition, posters containing highly defamatory slogans have been displayed inside as well as outside the Bank's branches in this Centre. This amounts to very serious misconduct on the part of the staff.

The Management hereby calls upon you to resume work forthwith with a view to bringing about normalcy within 48 hours of his notice, failing which the Bank will have no other alternative but to take such action as may be considered necessary under the law.

The staff are hereby notified that wages will be deducted for all the days of the stay-in-strike retrospectively from the date they have resorted to agitation as the action taken by the staff in fact amounts to an illegal strike. This is in addition to such other action which the management may be forced to take".

On 16-10-93 Madras Llyods Road Branch Manager has reported that the staff continued to agitate in the form of "work to rule", that other then few cash vouchers no work was done at their branch on that day and that cash payments after 2.00 p.m.

was made by the Manager and the Accountant. On 20-10-73 the Branch Manager of Arnenian Street has informed vide Ex. M. 29 letter to the Regional Office stating that the staff held a mass meeting in the Banking hall from 10.02 a.m. to 10.47 a.m. and at 11.15 a.m. the Branch Union officials supported by staff, surrounded each officer where he was standing or at his desk and protested that the officers by completing the outstanding clerical work after 5'O Clock each day were supporting the management in direct opposition to the union and its members. On 23-10-73, vide Ex. M. 9, the Branch Manager, Armenian Street has reported that there was a mass meeting in the Banking hall between 10.07 a.m. to 10.42 a.m. and at 3.00 p.m. there was a mass representation to the Manager. On 1-11-73, the Manager of the Armenian Street has sent Ex. M. 32 note wherein it is mentioned that the entire staff who continued agitation went on strike and remained outside the office from 10.00 a.m. to 11.00 a.m. and at about 11.15 a.m. the staff entered the bank and surrounded Mr. P. A. Arumugam at his desk objecting to the fact that Officers were doing extra work. At that time, a customer shouted across the counter at Mr. Sadasivam and heated exchange took place and that Mr. Sadasivam made certain remarks against Kasi Viswanathan and went to Banking hall and addressed the customers waiting to cash cheques. On 6-11-73, the Branch Manager of Armenian Street branch has sent Ex. M. 33 letter wherein it is mentioned that the award staff collected outside the main entrance at 10.00 a.m. and shouted slogans, and they entered in masse at 10.10 a.m. On 7-11-73 also the same Manager has sent Ex. M. 34 letter mentioning that in continuation of the agitation, the award staff collected outside the main entrance of the bank at 10.00 a.m. and shouted slogans and entered en masse at 10.10 a.m. and at 10.20 a.m. the staff assembled near the lift and were addressed by Mr. Sadasivam for about 10 minutes and permissions of the Branch Manager was not requested to hold the meeting. On 10-11-93 by Ex. M. 16 the petitioner union informed the respondent management that in an emergency General Body Meeting held on 10-11-73, a resolution was unanimously adopted resolving to suspend forthwith the agitation. On 15-10-93, the respondent management issued a notice mentioned earlier where the staff were notified that wages will be deducted for all the days from the day in strike retrospectively from the date when the staff resorted to agitation. The same day, Planning and Control Officer of the respondent management also informed Regional Labour Officer, about the agitation resulting in illegal stoppage of work tantamounting to stay in strike and the said letter is Ex. M. 37. The petitioner-union sent Ex. M. 4 letter dated 16-10-73 refuting the allegations contained in Ex. M. 3 letter and notice. On 18-10-73 the respondent sent Ex. M. 5 letter to the petitioner union citing several

instances which would show that the employees are not doing their work assigned to them as follows :

1. Current & Savings Bank Accounts : The main work of the employees is the posting of Current Account and Savings Bank ledgers. This has not been done by the staff working in these departments. Only cash debits, and in some cases cash credits, have been posted by the clerks concerned, with the result that the Officers have had to complete this work after 5.00 p.m. The Current Account statements and certificates of balance have not been sent as on the 30th September 1973.
2. Bills Department : Processing of out-station cheques and crediting customers' accounts with those cheques realised have not been done by the concerned staff but in actual fact have been completed by the officers after 5.00 p.m. The Typists have not typed the major portion of the Inward bills Schedules for presentation to the drawers/drawees.
3. The staff responsible for writing the cash book have not written the cash book and have not even posted the subsidiary General Ledger. Furthermore, in the Drafts Dept., T.T. remittances are being done by officers after 5.00 p.m. every day because the staff have not completed this work during their normal working hours. The issue of demand drafts and pay warrants have also not been done by the concerned members of the staff.
4. "The returns to the Exchange Control Department of the Reserve Bank of India for the period upto 30-9-73 and 10-10-73 have not been completed by the concerned staff upto the time of writing. The same is the case regarding foreign cheques and bills."

We can cite many more instances of work having been suspended by the staff.

"The stoppage of work by the clearing Department staff led to the accumulation of cheques resulting in the Bank having to withdraw from the clearing. Inward clearing cheques were handed over to the ledger department after 4.30 p.m. with the result that all the officers had to each day".

The reply sent by the petitioner union on 19-10-73 is Ex. M. 6. On 22-10-73 the respondent issued a memo to the staff of the Armenian Street branch wherein they have listed the award staff who have been carrying out duties normally assigned to them

since 12.30 p.m. from 28-9-73 who are eligible to receive full pay. About 29 staff have been mentioned eligible staff to receive full pay. On 27-10-73 the management has informed Regional Labour Commissioner about the agitation by the staff and also about the non-payment of salary for the period the staff have resorted to stay in strike. On 31-10-73 the petitioner union has sent Ex. M. 11 protest letter for withholding of wages payable to certain employees. The reply sent by the management for Ex. M. 11 letter of the union is Ex. M. 12.

7. According to the petitioner, the agitation was started for two reasons. 1. The delay in payment of medical bills of the employees and 2. Management has raised the minimum limit in Savings bank account from Rs. 5 to Rs. 500 and minimum limit in fixed deposit was raised to Rs. 5000. According to the management the real issue involved which is the cause for the agitation is, the union demanded fresh recruitment of staff as additional hands to meet the need in the Mount Road branch whereas the respondent bank proposed to effect the transfer of clerical staff from Llyods branch to Mount Road branch. The reason of minimum limit is savings bank account or Fixed deposit is not an issue which was discussed in the meeting between the employees union and the respondent management held on 28-8-73 (Ex. M. 1). Apart from other issues the settlement of medical bills and appointment of additional hands by fresh recruitment and not inter-branch transfer are the main issues discussed in the meeting. The agitation started on 28-9-73 in pursuance of Ex. M. 2 resolution dated 25-9-73 itself referred to the issues discussed in the Joint Minutes of the Meeting held on 28-8-73. Only on 1-10-73, Mr. Diwakaran, Secretary of the petitioner union has handed over three letters from the customers to the Manager Armenian Street, protesting against the revised rules in the Savings Bank Account and Manager has informed that the implementation of the revised rules for Savings Bank Account and fixed deposit has been postponed to 1-11-73 as per the telex message received from their Head Office at Calcutta. Therefore, the contention of the petitioner union that raising of minimum limit for the Savings Bank account and Fixed deposit have been one of the causes for the agitation is not correct. Even the medical bills were settled by the middle of October 1973 and therefore continuation of the agitation upto 10th November 1973 also cannot be due to the alleged delay of settling of the medical bills. Therefore, the real cause for the agitation by the staff is refusal of the management to recruit fresh staff to be posted as additional hands in the Mount Road branch. In Ex. M. 37 letter dt. 15-10-73, the respondent management has clearly mentioned as follows :

"Howevevr, in order to maintain good faith settle the issues amicably, further meetings were arranged on 1st and 3rd

October respectively. We enclose the proposals made by the management and the counter-proposals received from the union. Agreement was reached on nearly all the points except recruitment of additional staff in the Mount Road branch." "You are aware that recruitment is a management function and it is for us to decide whether additional staff are required."

In their letter dated 16-10-73, Ex. M. 4, sent to the respondent's various Managers, the petitioner union has mentioned as follows :

"Issue was simple. The management have conceded and admitted the need for additional hands in the Mount Road branch."

On 18-10-73 in Ex. M. 5 letter, respondent management has stated as follows :

"The management is the sole judge as to whether additional staff are needed or not at any branch and will not allow the union to dictate terms in the regard".

In Ex. M. 6 letter dt. 19-10-73 the petitioner union has mentioned as follows :

"The management discussed with the union and conceded to the demand for additional staff as seen from the minutes of 28-8-73 meeting. Even prior to that, staff requirements were discussed by them with the union and additional hand appointed on that basis. Your present attitude is therefore one of provocation and nothing else."

Even in Ex. M. 9 letter dated 26-10-73 the petitioner union has insisted appointment of additional clerical staff for the Mount Road branch instead of transfer of staff from Lyeds Road Branch. In Ex. M. 3 letter dated 27-10-73 the respondent has informed the Regional Labour Commissioner that there will be no union interference in recruitment matters. On 30-10-73 the respondent management has sent Ex. M. 10 letter wherein it has mentioned as follows :

"The management feels that it is futile and waste of time to reply your letters except to say that it is an undisputed and elementary principle of law that it is the exclusive right and the discretion of the management to decide the number of workmen required to carry out efficiently the work involved in the bank and union has no right to dictate to the management on this issue which is illegal and unjustified.

From the various correspondence between the petitioner and the respondent management and to the Regional Labour Commissioner, it is clear that the petitioner union wanted the respondent management to recruit fresh hands to be appointed as additional hands in the Mount Road branch whereas the respondent management refused to do so but wanted to transfer some clerical staff from the Lyeds Road branch to the Mount Road branch. Apart from the fact that the raising of the minimum limit in the Savings Bank account and the Fixed deposit, does not find a place except in Ex. M. 22, three letters from customers protesting against the revised rules for the savings bank account was given, in this other document the said revision of rules is said to be a reason for the agitation. Infact the implementation of the said revised rule has been postponed to 1-11-73 as found in Ex. M. 22 itself. Apart from the fact that there was no retrenchment of any staff due to the revision of rules regarding maintainability of minimum amount in the Savings Bank account and Fixed Deposit the petitioner union has not raised a dispute over the above subject. Similarly, the petitioner union has also not raised any dispute regarding the settlement of medical bills. In certain cases more time may be required to settle medical bills if the management wanted to scrutinise the genuineness of the bills and the bona fide of the claim. Even in the Government, settlements of medical bills takes more time in certain occasions. Therefore, the delay in settlement of medical bills also could not be the real cause for such an agitation. But the real cause seems to be the refusal of the management to recruit fresh hands to be posted as additional staff in the Mount Road branch. As to how many employees an employer should engage is his own domain and nobody can dictate terms on the right of the employee to decide his work force. The petitioner union fearing that such contention of posting additional staff cannot hold good, now, the union has took up the plea of creating an agitation for the delay in settlement of medical bills and raising the limit in the Savings Bank account and fixed deposits. The alleged delay in settling the medical bills for 6 persons were infact settled during the middle of October 1973 and raising the monetary limit for Savings Bank account and Fixed deposit are not such serious issues on which the employees should agitate to disrupt the work in the respondent bank and infact this plan was postponed to a later date.

8. The next point to be decided is whether there was no disruption of work due to the agitation by the employees or there was disruption of work by the agitation called by the employees to work to rule. The factum of work not being done in the respondent bank is not in dispute, and the dispute is, whether the staff did not do work or the bank did not allot work to its employees. In para 5 of

the claim statement the petitioner has stated that it was the respondent management which unilaterally suspended clearing operation causing drastic reduction in the volume of work resulting in reduced allotment of work to many of the employees and some of the employees were kept idle in departments like clearing. Thiru Ayyasamy, General Secretary of the petitioner union who was examined as WW1 has categorically admitted that they started the agitation for settlement of clearing of medical bills and other small issues and that what they have stated in para 5 of the claim statement is correct and has also further stated that they were objecting to the officers performing the clerical work after the office hours. The contention of the respondent management that the employees belonging to the petitioner union went on stay in strike or go slow which resulted in their discontinuing the clearing operations .. In 8-10-73 and pending work to be done by the staff was completed by the officers after office hours. The nature of demonstrations and meetings and go slow or work to rule has been reported by the respective managers of the various branches mentioned earlier as found in Ex. M. 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 as mentioned earlier. In Ex. M. 3, M. 20, M. 29, M. 30 and M. 36 the officers of the various branches have informed the Regional Manager about the abstention of the employees from doing the work and completion of the work by the officers after 5.00 p.m. The categorical admission of WW1 that they objected to officers performing the clerical work confirms and proves the contention of the respondent management that the employees resorted to work to rule or go slow, which necessitated the Officers to complete their work after the close of office hours at 5.00 p.m. In banking business, everyday's transaction has to be tallied and completed and then only the bank could start its business on the next day and that may be the reason why the officers stayed beyond the working hours to complete the day's work. The fact that the respondent management withdrew from clearing from 8-10-73 is not disputed by the petitioner. Clearing is the main transaction in any banking business. By withdrawing from the clearing the bank not only losses its income by way of commission but credibility of the bank will suffer if the cheques of the other banks are delayed. It is true that stopping of clearing will hurt any bank. But if it was not stopped but allowed to cause delay, it will cause more hurt. There is no reason for the respondent bank to keep its employees idle without allocating any work and at the same time requesting its officers to do more work even after office hours. MW1 to MW4 have categorically deposed about the work to rule or go slow tactics adopted by the employees which resulted in the Officers doing more work even after office hours. The management has chosen to pay the salary for the employees who worked in the cash department because the cashiers attended to their work. Cashiers cannot go slow

because the customers will be standing in his front for payment. But on the other hand employees who have to write the accounts ledger folios etc. can sit idle or do the work slowly. In Ex. M. 3 office notice dated 15-10-93 it is clearly mentioned that apart from doing little or no work themselves, the staff also attempted to prevent officers from attending to customers requirements or clearing up arrears. In Ex. M. 5 letter dated 18-10-73, the respondent management has informed the petitioner union about various instances to show that the employees are not doing their work assigned to them, and the contents of the letter have been already incorporated. Therefore, the contention of the petitioner union that the employees were kept idle by the respondent management without allocating work to them is not true. It is the employees who have started the agitation for literary reasons, continued the agitation for 45 days without doing their normal work but adopted the tactics of going slow in their work. The respondent management has paid salary for the above period for all employees except 208 employees whom according to the management did not do the work assigned to them. The fact that those employees who were paid wages for this period also belong to the petitioner union is not disputed. In fact those employees who were paid wages for the above period have given their wages to the union to be divided and paid to the other employees who were not paid wages. Even MW2 and MW3 who are also members of the petitioner union and also appear in the list as S. Nos. 79 and 116 were also not paid wages. The employees who were not paid wages might have signed the attendance register and remained in the bank in the working hours, apart from attending the mass meeting etc. But failure to do normal work or failure to do the work assigned to them amounts to failure to do the work. In (1972) 2 ALL England Report P 949, Secretary of State for Employment Vs. Associated Society for Locomotive Engineers and Firemen & Ors., their Lordships had occasion to deal with a similar situation. Hon'ble Justice Lord Denning has described such a situation as follows :

"Thus far, I have spoken only of particular breaches such as the one I have mentioned of that extra hours over time ; but the principal discussion before us (and it is the most important discussion for the purpose of the case) was as to the general instruction to the men to "work to rule", or as it is put more fully in the instructions, "strictly observe all B.R.B. rules". The meaning of that instruction is not in doubt. It is well known to everyone in the land. The instruction was intended to mean, and it was understood to mean, "keep the rules of your employment to the very letter,

but whilst doing so, do your very utmost to disrupt the "undertaking". Is that a breach of contract? Now I quite agree that a man is not bound positively to do more for his employer than his contract requires. He can withdraw his goodwill if he pleases. But what he must do is wilfully to obstruct the employer as he goes about his business. That is plainly the case where a man is employed singly by a single employer. Take a homely instance which I put in the course of argument. Suppose I employ a man to drive me to the station I know there is sufficient time so that I do not tell him to hurry. He drives me at his slowest speed than he need with the deliberate object of making me lose the train and I do lose it. He may say that he has performed his letter of the contract; he has driven me to the station. But he has wilfully made me lose the train and that is a breach of contract beyond all doubts. And what is more, he is not entitled to be paid for the journey. He has broken the contract in a way that goes to the very root of consideration; so he can recover nothing. Such a case is aking (it has been said we have had no authorities on the subject) to the many cases where there is an implied term not wilfully to prevent the carrying out of the contract. One such can be found more than hundred years ago in *M'Intyre Vs. Bolcher*, where, a man promised to pay another a percentage on the profit of his business but he did not make any promise to continue to carry on the business. Yet he afterwards closed the business down. It was held to be a breach of an implied term. Brle CJ stressed the wilfullness of it. He said :

It must mean that he will not wilfully incapacitate himself from carrying on the business.

and Wills J said

If I grant a man all the apples growing upon a certain tree and I cut down the tree I am guilty of a breach. Similar expressions can be found in other cases including one which the Solicitor General drew to our attention, *Pearce Vs. Fosster*. So much for the case when a employed singly. It is equally the case when he is employed "as one of many", to work in an understanding which needs the service of all. If he with the others take steps wilfully to

disrupt the undertaking, to produce chaos so that it will not run as it should, then each one who is a party to those steps is guilty of a breach of his contract. It is no answer for any one of them to say "I am only obeying the rule book," or "I am not bound to do more than a 40 hour week". That would be all very well if done in good faith without any wilful disruption of services; but what makes it wrong is the object with which it is done. There are many branches of our law when an act which would otherwise be lawful is rendered unlawful by the motto or object with which it is done. So, here it is the wilful disruption which is the breach. It means that the work of each man goes for naught. It is made of no effect. I ask : is a man to be entitled to wages for his work when he with others is doing his best to make it useless? Surely not. Wages are to be paid for services rendered not for producing deliberate chaos. The breach goes to the whole of the consideration as was put by Lord Campbell CJ in *Cuckson Vs Stones* and with other cases quoted in Smith's leading cases the noes to *Cutter Vs. Powell*. So I hold that the concerted course of conduct was in breach of the contract, this means that on the evidence this "work to rule" was irregular industrial action short of a strike".

In a recent judgement dated 14-8-97, in W.A. 1228/94 between the Indian Bank & its employees, Division Bench of the Hon'ble Madras High Court has held as follows :

"But in a case such as the present one where the employees go on strike during the crucial working hours which generate work for the rest of the day, to accept this argument is an effort to negate the purpose of efficacy of the remedy and to permit its circumvention effectively. It is true that in the present case when the employees came back to work after their four hours strike, they were not prevented from entering the bank's premises. But admittedly, the attendance after the four "hours strike was useless because there was not work to do during the rest of the hours...."

The last mentioned passage is an effective answer to the arguments of the respondent that they had completed the day's work after resuming duty after 1.00 p.m. In fact to a pertinent question

from the Court that if the doctors in a Government hospital abstain from working for a very few hours and later on resume duty, could it be ever said that they had completed the day's work. During the period of strike an emergent case had been produced before the doctors and on account of their strike the patient had died; the Doctor, could not have had any explanation. Though the facts of the present case are different, the principle that we would apply in such cases is the same. Further, as rightly observed by the Apex Court, if during the bank hours the staff go on strike there will be practically no work for them to do during the non-banking hours. To our mind the phrase "completion of day's work on resumption after strike period is an objective phenomenon". It varies from case to case depending upon the facts. In case where the functional activity, active party, personal and self contained activity, independant of other persons help, assistance, involvement or guidance, one can complete the left out work by devoting more time after resumption with personal involvement only. But where the functional activities involve continuous public dealing within a fixed time schedule, during which members of public come and do or cause to be done something which requires spontaneous involvement of the employees, such work can never be done and completed in the absence of involvement of members of public. In such cases, if the employees proceed on strike during crucial period reserved for dealing with the public, the members of public would go away without doing or causing to be done any work by the employees. Thus the work which could have been done otherwise would never be done after resumption even if the employees work beyond office hours and put additional labour even after resumption. We may quote here a popular adage :

"Lost wealth may be replaced by Industry, lost knowledge by study, lost health by temperance or medicine, but time lost is lost for ever."

We are unable to agree with Mr. Prasad that activities of Bank employees which could be done during crucial period involving public dealings, i.e. cash deposits, withdrawal, issuance of negotiable instruments, acceptance for realisation through clearing houses etc. and could not be done due to strikes could be done and completed after resumption."

The citation referred earlier of Hon'ble Justice Lord Denning has been already incorporated as a point of law in Ex. W-3 letter of the General Manager of the respondent bank to the Assistant Commissioner of Labour, Madras. From the facts narrated above, it is clear that the workman who

were present in the bank premises after signing the attendance register went on a go slow or stay in strike which resulted in the disruption of banking business of the respondent management, had ultimately led to the withdrawal of respondent management from clearing. The Learned counsel for the petitioners submitted that the bank has failed to produce ledgers and account books to prove the contention that the employees did not do normal work. This incident has happened 23 years ago, and the management could not be expected to produce all the ledgers and other account books to be produced "at this distance of time because normally such books are destroyed after a few years. Even if produced it would be very difficult to identify the handwriting and signature of various employees or officers since most of whom would have either retired or expired by this time." The failure of the respondent management to produce account books and ledgers has no significance, because the failure of the employees to do normal work has been sufficiently proved by the various documents marked in this case as well as by oral evidence.

9. The next point to be decided is whether the agitation of the employees/members of the petitioner-union is justified. The service conditions of the employees of the respondent bank are far better than the employees of the nationalised banks. The employees of the respondent bank are paid allowances to pay their income tax. The employees of the respondent bank are also paid lunch allowance and Travelling allowance. All the above allowances are not available for the employees of the Nationalised bank as admitted by Thiru Ayyasamy General Secretary of the petitioner-union. I have already held that the reasons of agitations viz., appointment of additional staff by recruitment of fresh hands, raising of the minimum limit in the Saving Bank Account and Fixed Deposit Account and delay in settling of medical bills are flimsy reasons and they are not urgent and pressing grievances when no means are available or when available means have failed to resolve it. Throughout the period of agitation i.e. 28-9-73 to 10-11-73 the petitioner-union has not taken any effort to bring the dispute before the conciliation officer. On the other hand by letters dated 15-10-73 Ex. M. 37 and 27-10-73 Ex. M. 38, the respondent management has drawn the attention of the Regional Labour Commissioner and has explained its stand in the agitation held by the workmen. The agitation has started on the 4th day after Ex. M. 2 resolution was passed. As already stated, Ex. M. 2 resolution dt. 25-9-73 of the petitioner-union does not disclose or indicate the type of agitation in which the members of the petitioner-union viz., employees of the respondent bank should involve or indulge. The petitioner

union failed to await the result of the dispute by the machinery provided for the same under the Industrial Disputes Act. In 1994 II LLJ P 836, SYNDICATE BANK & ANR Vs. K. UMESH NAYAK, CANARA BANK & ORS. Vs. R. JAMILUNATHAN & ORS, STATE BANK OF INDIA Vs. STATE BANK STAFF UNION. Wherein the Hon'ble Apex Court has held as follows :

"The question whether a strike or lock-out is legal or illegal does not present much difficulty for resolution since all that is required to be examined to answer the question is whether there has been a breach of the relevant provisions. However, whether the action is justified or unjustified has to be examined by taking into consideration various factors, some of which are indicated earlier. In almost all such cases the prominent question that arises is whether the dispute of such a nature that its solution could not brook delay and await resolution by the mechanism provided under the law or the contract or the service rules. The strike or lock-out is not to be resorted to because the concerned party has a superior bargaining power or the requisite economic muscle to compel the other party to accept its demand. Such indiscriminate use of power is nothing but assertion of the rule of "might is right". Its consequences are lawlessness, anarchy, and chaos in the economic activities which are most vital and fundamental to the survival of the society. Such action in the legal machinery is available to resolve the dispute may be hard to justify.

This will be particularly so when it is resorted to by the section of the Society which can well await the resolution of the dispute by the machinery provided for the same. The strike or lockout as a weapon has to be used sparingly for redressal of urgent and pressing grievances when no means are available or when available means have failed to resolve it. It has to be resorted to, to compel the other party of the dispute to see the justness of the demand. It is not to be utilised to work hardship to the society at large, so as to strengthen the bargaining power. It is for this reason the industrial legislation such as the act places additional restrictions on strikes and lockouts in public utility services."

In this case also the petitioner union has not resorted to seek a settlement through the conciliation machinery. Only on 21-1-77 the petitioner union has raised the dispute through Ex. W-11 letter for which the respondent has sent Ex. W-3 reply dated 21-3-77. The petitioner union failed

to pursue the dispute any further immediately and again they revived the dispute by a letter dated 24-12-80, Ex. W-13, and letter dated 28-2-81 Ex. W-14. Conciliation failure report dated 11-5-82 is Ex. W-4. Apart from the fact that the agitation held by the employees of the respondent is not justified it is a further fact that there are latches on the part of the petitioner union in raising the dispute for the reasons mentioned above.

10. Next question that has to be decided is whether the respondent management is justified in deducting the wages to the employees who involved themselves in the agitation. Ex. W-1 and Ex. M. 3 are notice issued by the respondent bank to the employees wherein it is mentioned as follows :

"The management hereby calls upon you to resume work forthwith with a view to bringing about normally within 48 hours of this notice, failing which the bank will have no other alternative but to take such action as may be considered necessary under the law.

The staff are hereby notified that wages will be deducted for all the days of the stay in strike retrospectively from the date they have resorted to agitation as provided in the Act without resorting to an illegal strike. This is in addition to such other action which the management may be forced to take.

The management wish to impress upon the staff that they are still willing to hold discussions with the union on the points raised by the latter, provided these are taken up in an orderly fashion as provided in the Act without resorting to such illegal stoppage of work."

Again by letter dated 18-10-73 marked as Ex. W-2, the respondent management has informed the employees that the management will have no other alternative but to deduct the wages for all the staff retrospectively from date they have resorted to agitation apart from the disciplinary actions against such of those staff who do not resume work forthwith. When the management paid salary for some employees who worked during the relevant period and refused to pay for those employees who indulged in the agitation and failed to do work, the General Secretary of petitioner union has sent Ex. W-9 letter protesting such action and informed the management of strike of 2 hours on that day. Members of the staff who were not paid the wages for October 1973 have also individually sent protest letters like Ex. W-10. The proposition of "No

Work No Pay" has been upheld by the Hon'ble Apex Court reported in 1990 II LLJ P 39 Bank of India Vs. T. S. Kelawala & Ors. The observation of the Hon'ble Appex Court are as follows :

"The first error as we have pointed out at the outset is to confuse the question of the legitimacy of the strike as a weapon in the workers hands with that of the liability to lose wages for the periods of strike. The working class has indisputably earned the right to strike as an industrial action after a long struggle so much so that the relevant industrial legislation recognises it as their implied right. However, the legislation also circumscribes this right by prescribing conditions under which alone its exercise may become legal. Whereas therefore a legal strike may not invite disciplinary proceedings and illegal strike may do so it being a misconduct. However, whether the strike is legal or illegal the workers are liable to lose wages for the period of strike. The liability to lose wages does not either make the strike illegal as a weapon or deprive the workers of it. When workers resot to they do so knowing full well its consequences. During the period of strike the contract of employment continues but the workers withhold their labour. Consequently they cannot expect to be paid.

The fact that the strike was legal or justified or that the employer has held disciplinary proceedings is immaterial for such deduction. The deliberate refusal to work may be the result of various actions on the part of the employees such as sit in strike or stay in strike at the work place or a strike whether legal or illegal or go slow tactics. The deliberate refusal to work may be legal or illegal as when the employees go on legal or illegal strike. The legality of strike does not always exempt the employees from the deduction of the salaries for the period of strike. It only saves them from disciplinary action since the legal strike is recognised as a legitimate weapon in the hands of workmen to redress their grievances. There should not be confusion between the strike as a legitimate weapon in hand of the workmen and the liability of deduction of wages incurred on account of it whether the strike is legal or illegal".

The decision in the T. Skelawala's case has also been upheld by a larger bench of the Hon'ble Supreme Court in a case of similar nature between

Syndicate Bank & K. Umesha Naik, Canara Bank & Ors. Vs. S. Jambunathan State Bank of India Vs. State Bank Staff Union, 1994 II LLJ P 836.

"There is, therefore, nothing in the decisions of this court in Charukulam Tea Estate and Crompton Greves Cases (supra) or the other earlier decisions cited above which is contrary to the view taken in T. S. Kelawala, what is held in the said decisions is that to entitle the workmen to the wages for the strike-period, the strike has both to be legal and justified. In other words, if the strike is only legal but not justified or if the strike is illegal though justified, the workers are not entitled to the wages for the strike-period. In fact, in India General Navigation Case (supra) the Court has taken the view that a strike which is illegal cannot at the same time be justifiable. According to that view, in all cases of illegal strike, the employer is entitled to deduct wages for the period of strike and also to take disciplinary action. This is particularly so in public utility service.

We, thereforee hold endorsing the view taken in T. S. Kelawala that the workers are not entitled to wage for the strike-period even if the strike is legal. To be entitled to the wages for the strike period, the strike has to be both legal and justified. Whether the strike is legal or justified are questions of fact to be decided on the evidence on record. Under the Act, the question has to be decided by the industrial adjudicator, it being an industria! dispute within the meaning of the Act.

The strike as a weapon was envolved by the workers as a form of direct action during their long struggle with the employers. It is essentially a weapon of last resort being an abnormal aspect of the employer employee relationship and involves withdrawal of labour disrupting production, services and the running of the enterprise. It is used by the labour of the economic power to bring the employer to see and meet their view point over the dispute between them. In addition to the total cessation of work it takes various forms such as working to rule, go slow, refusal to work overtime when it is compulsory and part of the contract of employment, "Irritation Strike", or staying at work but deliberately doing everything wrong, "running sore strike" i.e. disobeying the lawful order, sit down stay-in and lie down etc. etc. The cessation or stoppage of work

whether by the employees or by the employer is detrimental to the production and economy and to the well being of the society as a whole. It is for this reason that the industrial legislation while not denying the right of workman to strike has tried to regulate it along-with the right of the employer to lock out and has also provided a machinery for peaceful investigation, settlement, arbitration and adjudication of the dispute between them. Where such industrial legislation is not applicable the contract of employment and the Service rules and regulations many times provide for the suitable machinery for resolution of the disputes. When the law or the contract of employment or the service rules provide for a machinery to resolve the dispute, resort to strike or lockout as a direct action is *prima facie* unjustified. This is particularly so when the provisions of the law or of the contract or of the service rules in that behalf are breached. For them the action is also illegal.

With the emergence of the organised labour particularly in public undertakings and public utility services, the old balance of economic power between the management and the workmen has undergone a qualitative change in such undertakings. Today the organised labour in these institutions has acquired even the power of holding the society at large to ransom by withholding labour and thereby compelling the management to give in on their demands whether reasonable or unreasonable. What is forgotten many times, is that as against the employment and the service conditions available to the organised labour in these undertakings, there are millions who are either unemployed, under-employed or employed on less than statutorily minimum remuneration. The employment that workmen get and the profits that the employers earn are both generated by the utilisation of the resources of the society in one form or the other whether it is land, water, electricity or money which flows either as share capital, loans from financial institutions or subsidies and exemptions from the Governments. The resources are to be used for the well being of all by generating more employment and production and ensuring equitable distribution. They are not meant to be used for providing employment, better service conditions, and profits only for some. In this task

both the capital and the labour are to act as the trustees of the said resources on behalf of the society and use them as such. They are not to be wasted or frittered away by strikes and lock-outs. Every dispute between the employer and the employee has, therefore to take into consideration a third dimension namely the interest of the society as a whole, particularly the interest of those who are deprived of their legitimate basic economic rights and are more unfortunate than these in employment and management. Justness or otherwise of the action of the employer or employee has therefore to be examined also on the anvil of the interest of the society which such action tends to affect. This is true of the action in both public and private sector. But more imparatively so in the public sector. The management and the public sector is not a capitalise and the labour an exploited lot. Both are paid employees and vow their existence to be direct investment of public funds. Both are expected to represent public interest directly and have to promote them."

From the judgements of the Hon'ble Apex Court cited earlier, it is clear that wage need not be paid when the employee has not done the work he is expected to do or the work allotted to him. Section 7 of the payment of Wages Act, 1936 deals with instances where an employer can deduct from an employed person. According to Sec. 7(2)(b) for absence from duty deductions can be made. Sec. 9 of the payment of Wages Act deals with the situation where an employer can deduct wages for absence from duty. Explanation to Sec. 9 is as follows :

"For the purposes of this section an employed person shall be deemed to be absent from the place where he is required to work if, although present in such place, he refuses, in pursuance of a stay-in-strike or for any other cause which is not reasonable in the circumstances, to carry out his work."

The case of petitioners squarely applies to the explanation to Sec. 9 of the Payment of Wages Act. Therefore, when the respondent has proved that the employees who were not paid wages for the period of agitation have not done the work allotted to them, the respondent is justified in deducting the wages of these employees for the relevant period. Award passed. No costs.

Dated, this the 9th day of December, 1998.  
S. ASHOK KUMAR, Industrial Tribunal

### WITNESSES EXAMINED

For Workmen Side :

W.W.1 Thiru Ayyasamy

For Management Side :

W.W. 1 Thiru Ayyasamy

M.W. 2 V. Vaidyanathan

M.W. 3 T. D. Kajan

M.W. 4 Mr. Cherian Chacko

M.W. 5 K. Ronald.

### DOCUMENTS MARKED

For Workmen Side :

Ex. W. 1 15-10-73 Notice put up by the Respondent Bank.

Ex. W. 2 18-10-73 Letter from the Respondent Bank to the Petitioner Union.

Ex. W. 3 21-03-77 Counter filed by the Respondent before the Regional Labour Commissioner (Central) Madras.

Ex. W. 4 11-06-82 Conciliation failure report sent to Government of India.

Ex. W. 5 09-07-82—Government of India, letter to the parties in time by the receipt of the failure report.

Ex. W. 6 06-08-82—Letter from Govt. of India dealing to refer the Industrial Dispute.

Ex. W. 7 22-10-90 Judgement of the Madras High Court in W.P. 8585/82 filed by the Petitioner Union.

Ex. W. 8 19-10-73 Letter from the Petitioner Union to the Respondent.

Ex. W. 9 31-10-73 Letter from the Petitioner Union to the Respondent.

Ex. W. 10 31-10-73 Representation from the Individual Employees to the Respondent Bank.

Ex. W. 11 21-01-77 Letter from the Petitioner Union to the Regional Labour Commissioner (Central) Madras for conciliation.

Ex. W. 12 02-11-79 Petitioner Union's Federation's letter regarding the Charter of demands.

Ex. W. 13 24-12-80 Letter from the Petitioner Union to the Regional Labour Commissioner (Central) Madras.

Ex. W. 14 28-02-81 Letter from the Petitioner Union to the Regional Labour Commissioner (Central) Madras.

Ex. W. 15.....List of Workmen affected by the non-payment of wages by the Respondent Bank.

Ex. W. 16 16-10-73 Letter from the Petitioner Union to the Respondent Bank.

### DOCUMENTS FOR MANAGEMENT

Ex. M. 1 24-09-73 Copy of the Minutes of 25-09-73

the Meeting before the Union and Management on 28-08-73.

Ex. M. 2 25-09-73 Copy of Resolution of National and Grindleys Banking Employee Union.

Ex. M. 3 15-10-73 Copy of the Note of Manager National & Grindleys Bank Limited, Armenian Street, Madras.

Ex. M. 4 16-10-73 Copy of letter from National & Grindleys Banking Employee Union, Madras-1, to Regional Manager National & Grindleys Bank Ltd., Mount Road & Others.

Ex. M. 5 18-10-73 Copy to letter from Regional Manager from Banking Union.

Ex. M. 6 19-10-73 Copy of the letter from Banks Union to the Regional Manager, Grindleys Bank.

Ex. M. 7 22-10-73 Copy of the Memo 22-10-73

to staff Department from Manager, Grindleys Bank, Madras-1.

Ex. M. 8 22-10-73 Copy of letter from Bank Employees Union Madras to Regional Manager, National and Grindleys Bank Ltd., Madras.

Ex. M. 9 26-10-73 Copy of letter from National and Grindleys Bank Employee Union to Regional Manager, National and Grindleys Bank Ltd., Madras.

Ex. M. 10 30-10-73 Copy of letter from Planning and Central Officer to the Regional Labour Commissioner, Madras-6.

Ex. M. 11 31-10-73 Copy of letter from National and Grindleys Bank Employees Union to the Regional Manager, National and Grindleys Bank Ltd., Mount Road, Madras.

Ex. M. 12 01-11-73 Copy of letter from Planning to Control, National & Grindleys Bank Ltd., Armenian St., to Union.

Ex. M. 13 03-11-73 Copy of letter from Union to Regional Manager, National & Grindleys Bank Ltd., Mount Road, Madras.

Ex. M. 14 03-11-73 Copy of letter from Planning & Control, National & Grindleys Bank Ltd., to Union.

- Ex. M. 15 05-11-73 Copy of letter from Union to Regional Manager, National & Grindleys Bank Ltd., Mount Road.
- Ex. M. 16 10-11-73 Copy of letter from National & Grindleys Bank Employee Union to the Regional Manager, National & Grindleys Bank Ltd., Mount Road, Madras.
- Ex. M. 17 21-11-73 Copy of Memo from Manager, National & Grindleys Bank Ltd., Armenian St., Madras, to Staff Department.
- Ex. M. 18 08-10-73 Copy of letter from Manager, National & Grindleys Bank Ltd., Lloyds Road, Regional Manager, Madras.
- Ex. M. 19 09-10-73 Copy of letter from Manager, National & Grindleys Bank Ltd., Lloyds Road, Regional Manager, Madras.
- Ex. M. 20 16-10-73 Copy of letter from Manager, National & Grindleys Bank Ltd., Lloyds Branch to the Regional Manager, National & Grindleys Bank Ltd., Madras.
- Ex. M. 21 28-09-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 22 01-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras-1.
- Ex. M. 23 04-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras-1.
- Ex. M. 24 08-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 25 10-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 26 11-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 27 12-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 28 13-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 29 20-10-73 Copy of Communication of Manager, National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 30 20-10-73 Copy of letter from Manager, National & Grindleys Bank Ltd., Armenian St., to Regional Manager, Madras.
- Ex. M. 31 23-10-73 Copy of Communication of Manager National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 32 01-11-73 Copy of Communication of Manager National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 33 06-11-73 Copy of Communication of Manager National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 34 07-11-73 Copy of Communication of Manager National & Grindleys Bank Ltd., Armenian St., Madras.
- Ex. M. 35 01-10-73 Copy of Memorandum of National and Grindleys Bank Ltd., Mount Road, Madras.
- Ex. M. 36 08-10-73 Copy of Memorandum of National and Grindleys Bank Ltd., Mount Road, Madras.
- Ex. M. 37 15-10-73 Copy of letter from Planning and Control Officer, National and Grindleys Bank Ltd., to the Regional Labour Commission, Madras-6.
- Ex. M. 38 27-10-73—Copy of letter from Planning and Control Officer, National and Grindleys Bank Ltd., to the Regional Labour Commission, Madras-6.
- Ex. M. 39 13-11-73 Copy of letter from Planning and Control Officer, National and Grindleys Bank Ltd., to the Regional Labour Commission, Madras-6.
- Ex. M. 40 15-11-73 Copy of letter from Planning and Control Officer, National and Grindleys Bank Ltd., to the Regional Labour Commission, Madras-6.

Sd/-  
Industrial Tribunal,  
Chennai-104.

#### ANNEXURE

List of employees affected by non-payment of wages by the bank during the period 28th September, 1973 to 10th November, 1973.

S./Shri

1. S. G. Arulappan—Resigned
2. K. R. Arunachalam
3. S. R. Balaraman
4. K. V. Balasubramanian
5. S. Balasubramanian
6. A. Bhaskaran Kutty
7. R. Chandrasekar
8. V. Chandrasekar---Resigned

9. M. Chandrasekar  
 10. S. Chandrasekaran  
 11. B. Chittibabu  
 12. N. Dhanasekaran  
 13. Jack Dorairaj  
 14. William Ibenezer  
 15. T. P. Ekamabaram  
 16. A. GnanaPrakasam  
 17. R. Govindaraj  
 18. T. Iswarchander  
 19. V. M. Jacob  
 20. K. B. Jayachandran  
 21. V. Jayakrishnan  
 22. C. I. Joseph  
 23. K. Kannan  
 24. V. A. Kannan  
 25. M. V. Krishnaswamy  
 26. S. Krishnaswamy  
 27. R. Kumarasekaran  
 28. M. R. Kutty  
 29. N. C. Lakshmanan  
 30. A. Mahadevan—Retired  
 31. V. S. Mani—Retired  
 32. C. V. Moni  
 33. S. Munuswamy  
 34. A. Muralidharan  
 35. V. Nagarajan  
 36. N. Nambirajan  
 37. R. Nagaraja Rao  
 38. M. G. Narasimhan  
 39. T. Narasimhan  
 40. K. T. Narayanan  
 41. P. S. Narayanan  
 42. D. Natarajan  
 43. T. S. Padmanabhan  
 44. N. V. Pandurangan  
 45. M. Parasuraman  
 46. S. Paramasivan  
 47. R. Parthsarathy  
 48. Y. Pattabhiramiah  
 49. K. R. Pillai  
 50. R. V. Perumal  
 51. T. R. Radhakrishnan  
 52. P. Rajendran  
 53. G. K. Ramachandran  
 54. S. Ramachandran  
 55. V. Ramachandran  
 56. R. Ramanathan  
 57. S. Ramanathan  
 58. A. Rajamani  
 59. R. N. Ranganathan  
 60. R. Sadasivan  
 61. N. Sambasiva Rao—Resigned  
 62. K. R. Sampath  
 63. K. Sankaran  
 64. K. Sethuramalingam  
 65. T. A. Shivaji  
 66. R. L. Shunker  
 67. P. Somasundaram  
 68. T. S. Sitharaman  
 69. S. N. Soundarajan  
 70. S. Sridharan  
 71. K. Srinivasan  
 72. S. Subbiah  
 73. R. Subramanian  
 74. G. Sudarsanam  
 75. S. J. Sukavanam  
 76. R. N. Sundaram  
 77. R. V. Thyagarajan  
 78. V. S. Umapathy  
 79. V. Vaidyanathan  
 80. K. Vasudevan  
 81. R. Venkataraman—Resigned  
 82. M. K. Venkataraman  
 83. P. Venkataraman  
 84. K. S. Venkataramani  
 85. B. Venkatramanjeneyalu  
 86. R. Venkatesan  
 87. Miss Y. M. West  
 88. S. Sankaran  
 89. S. Chandrasekaran  
 90. V. Krishnan—Promoted  
 91. D. H. Singh  
 92. M. V. Divakaran  
 93. C. S. Ganesan  
 94. S. Gurumurthy  
 95. S. Balasubramanian  
 96. A. S. Chandrasekaran—Resigned  
 97. S. Jaikumar  
 98. P. V. Jayaprakash Rao  
 99. G. Jayaraman  
 100. K. C. Kannan

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|---|--------------------------------------|
| 101. K. M. Kannan                                       | 144. S. Srinivasan                   |
| 102. N. Krishnamurthy                                   | 145. T. Ayyasami                     |
| 103. K. P. Kuppuswamy                                   | 146. V. J. Arunachalam               |
| 104. R. Mahalingam                                      | 147. R. Dorai Raj                    |
| 105. O. Mallikarjuniah                                  | 148. A. N. Chettiar                  |
| 106. D. Manivannan                                      | 149. S. A. Dorai Raj—Retired         |
| 107. A. Manuel  | 150. J. Gajapathy                    |
| 108. R. A. Manuel                                       | 151. S. A. Govindarajulu             |
| 109. V. R. Margabandu                                   | 152. J. Koteswara Rao                |
| 110. A. S. Nagarajan                                    | 153. S. Krishnamurthi                |
| 111. C. V. Narayanan                                    | 154. M. N. Muthuswami                |
| 112. A. R. Parthasarathy                                | 155. G. K. Nagarajan                 |
| 113. D. Pattabhiraman                                   | 156. K. B. Narasimhan                |
| 114. V. T. Probotchandran                               | 157. E. Panneerselvam                |
| 115. V. Rajagopalan                                     | 158. P. S. Raghavan                  |
| 116. T. D. Rajan  | 159. V. A. Ramachandran              |
| 117. S. Rajappa   | 160. A. S. Ramamoorthy               |
| 118. C. S. Ramani—Resigned                              | 161. R. Rangarajulu                  |
| 119. C. H. Ramarathnam—Retired                          | 162. S. V. Rajagopalan               |
| 120. C. Rajasekaran                                     | 163. V. Rajamannar                   |
| 121. S. B. Ramadoss                                     | 164. V. P. Sampathkumar              |
| 122. T. Selvaraj  | 165. S. Santhanakrishnan             |
| 123. W. S. Saldanan                                     | 166. N. S. P. Sarathy                |
| 124. P. S. Srinivasan                                   | 167. A. I. D. Rozario                |
| 125. P. S. Seetharaman                                  | 168. V. Selvarangan                  |
| 126. P. R. Srinivasan                                   | 169. B. Ravishanker                  |
| 127. V. Sundaram  | 170. P. R. Srinivasan                |
| 128. Mrs. V. S. Suryakumari                             | 171. R. Srinivasan                   |
| 129. R. Sunderrajan                                     | 172. V. Sundaram                     |
| 130. P. Thiagarajan                                     | 173. T. S. Srinivasa Raghavan        |
| 131. B. V. Vaidyanathan                                 | 174. V. Varadarajan                  |
| 132. K. P. Vaidyanathan                                 | 175. J. Venkatesan                   |
| 133. S. Venkatachalam                                   | 176. M. S. Vijayaraghavan            |
| 134. S. Venkataraman                                    | 177. G. R. Vinayagam—Suspended       |
| 135. T. Venkataraman                                    | 178. K. B. Maheswara Rao             |
| 136. Pitta Venkateswara Rao—Transferred to<br>Hyderabad | 179. A. Kamakoti—Sub-staff           |
| 137. R. Venugopal                                       | 180. T. V. Manickam—Sub-staff        |
| 138. M. Viswanathan                                     | 181. S. Andrew Raja Singh—Sub-staff  |
| 139. R. Venktanarayanan                                 | 182. P. Sobanachalam—Sub-staff—Retd. |
| 140. V. R. Jaganathan                                   | 183. V. P. Balasubramanian           |
| 141. R. Jayathrethan                                    | 184. T. S. Srinivasan                |
| 142. C. R. Kamalanathan                                 | 185. R. Aravamudhan                  |
| 143. T. V. Rao  | 186. R. Parthasarathy—Retired        |
|   | 187. R. Krishnaswamy                 |
|   | 188. P. C. Satagopan                 |
|   | 189. C. R. Krishnamoorthy            |

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| 190. S. Anbudian                 | 202. H. I. Stanley             |
| 191. C. P. Balaraman             | 203. V. Subrahmanyam           |
| 192. P. M. Narayanan             | 204. V. Sundarrajan            |
| 193. N. M. Gopalraj              | 205. C. Thiruvenkadaswamy      |
| 194. S. T. Govindarajan—Promoted | 206. C. M. Shanmugam—Sub-staff |
| 195. U. C. Krishnaswamy          | 207. C. Ramaswami              |
| 196. T. K. Ponnambalam—Retired   | 208. N. Chandrasekaran.        |
| 197. Miss M. Prabhavathy         |                                |
| 198. T. Raman                    | Sd/-                           |
| 199. A. S. Ramanathan            | Industrial Tribunal            |
| 200. A. K. Sitaraman             | (Tamil Nadu)                   |
| 201. K. Srinivasan               | Chennai-600 111                |